

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

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GEORGE G. FLOWERS, : CIVIL ACTION
Plaintiff :
 :
V. : NO. 12-4748
 :
CONNECT AMERICA.COM, :
Defendant :

- - -

Tuesday, December 18, 2012
Media, Pennsylvania

- - -

Oral deposition of GEORGE G. FLOWERS,
taken in the Law Offices of GALLAGHER,
SCHOENFELD, SURKIN, CHUPEIN & DEMIS, 25 West
Second Street, on the above date, beginning at
approximately 1:15 p.m., before Maria Rousakis,
Court Reporter and Notary Public.

- - -

DELCASALE, CASEY, MARTIN & MANCHELLO
Registered Professional Reporters
230 South Broad Street - Suite 605
Philadelphia, Pennsylvania 19102

George Flowers

<p style="text-align: right;">12</p> <p>1 A. Yes.</p> <p>2 Q. All right. Was that company based in</p> <p>3 Florida, or based here but the manufacturing</p> <p>4 was done in Florida?</p> <p>5 A. I'm not sure how the corporate structure</p> <p>6 was set up, to be honest with you. It was</p> <p>7 located in Florida.</p> <p>8 Q. Okay. Was the corporate office, if you</p> <p>9 will, in Florida, or was there a corporate</p> <p>10 office?</p> <p>11 A. Yeah, there was a corporate office. It</p> <p>12 was in Thorofare, New Jersey. That's where</p> <p>13 most of our nonmanufacturing people were.</p> <p>14 Q. Okay. So was your brother also involved</p> <p>15 in that company?</p> <p>16 A. Yeah. He actually bought out another</p> <p>17 company, which I can't recall the name of.</p> <p>18 Q. Okay. And he was also involved, I</p> <p>19 assume, in Pedal Power?</p> <p>20 A. Yes and no. He gave that business to</p> <p>21 his son, Michael Flowers, and he was the</p> <p>22 president of that company.</p> <p>23 Q. Okay. Is that during the time when you</p> <p>24 were employed there?</p>	<p style="text-align: right;">14</p> <p>1 A. We make the world famous Rascal</p> <p>2 scooters. You might have heard of it on</p> <p>3 Letterman. It's truly world famous. We're</p> <p>4 pioneers in the industry. We were inventors of</p> <p>5 the three wheel scooters for the elderly and</p> <p>6 handicap, along with a couple other smaller</p> <p>7 guys, but we were able to grow that business</p> <p>8 tremendously over the next quarter of a</p> <p>9 century.</p> <p>10 Q. Okay. Now, was '84 your first</p> <p>11 involvement with that company? I think earlier</p> <p>12 when I asked you, you said '82 to '07. Was</p> <p>13 there some overlap?</p> <p>14 A. There's some overlap. One of the</p> <p>15 reasons there was overlap was, I was</p> <p>16 manufacturing the frames for the units in</p> <p>17 Florida to be shipped to New Jersey and</p> <p>18 manufactured in New Jersey.</p> <p>19 Q. You're manufacturing the frames for</p> <p>20 the --</p> <p>21 A. Scooters.</p> <p>22 Q. -- Rascal scooter product simultaneously</p> <p>23 with manufacturing the commuter vehicles?</p> <p>24 A. Yes. We had equipment.</p>
<p style="text-align: right;">13</p> <p>1 A. Yes. I was always in charge of that</p> <p>2 operation. His father was his mentor and</p> <p>3 financier.</p> <p>4 Q. Okay. And you were the accountant</p> <p>5 customer service production supervisor person?</p> <p>6 A. We were small. Lots of hats.</p> <p>7 Q. Okay. You were with the Commuter</p> <p>8 Vehicles Company from '82 until when?</p> <p>9 A. '84.</p> <p>10 Q. Okay. As prices came back down, then --</p> <p>11 A. Found more dead dinosaurs under the</p> <p>12 Middle East. We liquidated the business. Paid</p> <p>13 everybody off.</p> <p>14 Q. Okay. And the company shut down?</p> <p>15 A. Yes.</p> <p>16 Q. All right. In or after 1984, where did</p> <p>17 you go professionally?</p> <p>18 A. I went back to Electric Mobility, and</p> <p>19 that's where I spent the next 25 or so years.</p> <p>20 Q. Okay. Was Electric Mobility a company</p> <p>21 that your brother had founded as well?</p> <p>22 A. Yes.</p> <p>23 Q. Okay. What's the nature of the business</p> <p>24 of Electric Mobility?</p>	<p style="text-align: right;">15</p> <p>1 Q. Okay. All right. So, do I understand</p> <p>2 correctly that as of '84, you returned to the</p> <p>3 Rascal scooter business in earnest, and that</p> <p>4 became your full-time employment?</p> <p>5 A. Yes.</p> <p>6 Q. Okay. Between '84 and '07, were you</p> <p>7 involved in any other businesses or business</p> <p>8 ventures, your brother's or otherwise?</p> <p>9 A. I don't believe so.</p> <p>10 Q. Okay. When you started with Electric</p> <p>11 Mobility -- that's the name of the company</p> <p>12 right, Electric Mobility?</p> <p>13 A. Yes.</p> <p>14 Q. Okay (continuing) in '84 in earnest,</p> <p>15 what was your position there?</p> <p>16 A. From '84 to -- I don't know. I wore a</p> <p>17 lot of hats with that company, too, and it</p> <p>18 doesn't seem like it makes much sense to go</p> <p>19 through each individually.</p> <p>20 Q. Give me generic descriptions if you</p> <p>21 want.</p> <p>22 A. This is the way it basically worked,</p> <p>23 Bruce. My nephew was in charge of selling and</p> <p>24 marketing the product. I was in charge of</p>

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<p style="text-align: right;">16</p> <p>1 operations, manufacturing and distribution, and</p> <p>2 that's basically the way it worked for about 23</p> <p>3 years.</p> <p>4 Q. Okay. So you were in charge of, if I</p> <p>5 recall correctly, operations, manufacturing and</p> <p>6 distribution of the Electric Mobility Rascal</p> <p>7 scooter product or product line?</p> <p>8 A. Yes.</p> <p>9 Q. And your nephew was Michael?</p> <p>10 A. Michael Flowers.</p> <p>11 Q. Did sales, marketing? I'm sorry. What</p> <p>12 did you say?</p> <p>13 A. Sales and marketing. And as President,</p> <p>14 he, of course, oversaw everything.</p> <p>15 Q. So you were President of the company</p> <p>16 during that time period?</p> <p>17 A. Michael was.</p> <p>18 Q. Michael was the President. Okay. So he</p> <p>19 functioned as the CEO as well as sales and</p> <p>20 marketing?</p> <p>21 A. Yes.</p> <p>22 Q. Okay. Aside from manufacturing</p> <p>23 employees, production employees, how many</p> <p>24 employees did Electric Mobility have during</p>	<p style="text-align: right;">18</p> <p>1 finance or accounting functions in the company?</p> <p>2 A. No. We all had control.</p> <p>3 Q. All right. So you were basically in</p> <p>4 charge of production, manufacturing, operations</p> <p>5 and distribution?</p> <p>6 A. And at the time -- at one time, I was in</p> <p>7 charge of the design of the scooters,</p> <p>8 engineering. And at a time, I was also</p> <p>9 responsible -- we had -- it was very rounded,</p> <p>10 well-rounded with all phases of the operation,</p> <p>11 and at one time, I was even asked to run the</p> <p>12 telemarketing floor.</p> <p>13 I was an efficiency expert in</p> <p>14 manufacturing, lean manufacturing. We were a</p> <p>15 Class II MRP manufacturer and we took all the</p> <p>16 lean courses. We were going for the Malcolm</p> <p>17 Baldrige award. We were a sophisticated</p> <p>18 manufacturer. And they asked me to go over to</p> <p>19 the telemarketing floor and apply some of those</p> <p>20 efficiency concepts to the telemarketers.</p> <p>21 Q. Okay. In terms of systems, things of</p> <p>22 that nature?</p> <p>23 A. Right. Processes, metrics.</p> <p>24 Q. Okay. I think when I initially was</p>
<p style="text-align: right;">17</p> <p>1 that time period?</p> <p>2 A. We probably had 250 on site, and we had</p> <p>3 probably 400 in the field.</p> <p>4 Q. Okay. Those are exclusive of production</p> <p>5 people, so they would be, for example, sales,</p> <p>6 management, marketing people?</p> <p>7 A. Of the 250, that was total on-site in</p> <p>8 our production facility in Sewell.</p> <p>9 Q. Okay. Were they production workers; did</p> <p>10 they make the scooters or --</p> <p>11 A. A portion of the 250. About 100 were</p> <p>12 charged with manufacturing.</p> <p>13 Q. Okay. And then the others were?</p> <p>14 A. Telemarketers, accounting people, that</p> <p>15 sort of thing.</p> <p>16 Q. Okay.</p> <p>17 A. Administration.</p> <p>18 Q. From your description, it sounds like</p> <p>19 you were in charge of the production people and</p> <p>20 the marketing, accounting, sales people.</p> <p>21 Telemarketers were under your nephew's</p> <p>22 leadership, right?</p> <p>23 A. That's correct.</p> <p>24 Q. Okay. Did you have responsibility for</p>	<p style="text-align: right;">19</p> <p>1 asking you about Electric Mobility, I said tell</p> <p>2 me what you did in '84. Is what you have told</p> <p>3 me since then basically what you did between</p> <p>4 '84 and '07?</p> <p>5 A. Yes. Absolutely.</p> <p>6 In 2005, since I had already --</p> <p>7 we had our production line; it was running very</p> <p>8 smoothly. But competition made us take our</p> <p>9 product offshore, so I was in charge of the</p> <p>10 supply chain. I developed, of course with my</p> <p>11 staff, tremendous relationships with vendors,</p> <p>12 people, companies, and I knew the import,</p> <p>13 export model very well.</p> <p>14 Q. So the manufacturing operations were</p> <p>15 moved offshore?</p> <p>16 A. Yes.</p> <p>17 Q. Where were they moved to?</p> <p>18 A. Various locations in China.</p> <p>19 Q. Okay.</p> <p>20 A. And then in 2005 --</p> <p>21 Q. Your responsibility in connection with</p> <p>22 that was to sort of make that transition</p> <p>23 happen, and maintain the necessary supply</p> <p>24 lines, distribution, importing, exporting</p>

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<p style="text-align: right;">20</p> <p>1 stuff?</p> <p>2 A. Yes. My title was Executive Vice</p> <p>3 President of Manufacturing.</p> <p>4 Q. Okay. Has that been your title for the</p> <p>5 whole time you were there?</p> <p>6 A. It varied but it usually had</p> <p>7 manufacturing in it.</p> <p>8 Q. All right. So you oversaw that</p> <p>9 transition to offshore manufacturing operations</p> <p>10 and then the flipside, bringing the finished</p> <p>11 product back in to the states, I assume?</p> <p>12 A. Yeah. We had 200 sales reps, 200 to 400</p> <p>13 sales reps, during different times that were</p> <p>14 selling our product in the home, so they each</p> <p>15 had an individual warehouse. So I was also</p> <p>16 responsible for getting that product from our</p> <p>17 facility out to those gentlemen.</p> <p>18 Q. Okay. So, logistics, is that a term</p> <p>19 that applied to what you did?</p> <p>20 A. Logistics. I would also say I was an</p> <p>21 expert at logistics.</p> <p>22 Q. Okay. The logistics of?</p> <p>23 A. Transportation.</p> <p>24 Q. How many warehouses did you say?</p>	<p style="text-align: right;">22</p> <p>1 be the CEO and in charge of the sales and</p> <p>2 marketing operations?</p> <p>3 A. Yes. That never changed.</p> <p>4 Q. Okay. And did you and he continue the</p> <p>5 same dichotomy where, basically, you were</p> <p>6 production, logistics, he was sales, marketing,</p> <p>7 and then --</p> <p>8 A. No. Interesting enough, in 2005, I got</p> <p>9 another promotion. Since I had successfully</p> <p>10 moved the operation offshore, and we now had a</p> <p>11 handful of employees in our distribution center</p> <p>12 because everything was coming in from China, it</p> <p>13 was really a waste of my time to oversee that</p> <p>14 on a day-to-day basis. And I was put in charge</p> <p>15 of Executive Vice President of New Business</p> <p>16 Initiatives, and I also oversaw the</p> <p>17 distribution facility.</p> <p>18 Q. All right. So you were Executive Vice</p> <p>19 President for New Business Initiatives?</p> <p>20 A. Yes.</p> <p>21 Q. It's a wonderful sounding title. What</p> <p>22 did it mean?</p> <p>23 A. It means I got paid a lot more, and I</p> <p>24 had a lot less to do.</p>
<p style="text-align: right;">21</p> <p>1 A. 200. It could have been a guy's garage,</p> <p>2 but as far as our computer was concerned, they</p> <p>3 were a warehouse.</p> <p>4 Q. Okay. And they were across the country?</p> <p>5 A. Yes.</p> <p>6 Q. All right. So if Sales Guy A needs an</p> <p>7 inventory in his garage in LaHoya,</p> <p>8 hypothetically, it was your job to make sure</p> <p>9 that the product came in from the Chinese</p> <p>10 manufacturing plant to the garage in LaHoya so</p> <p>11 the guy could sell his --</p> <p>12 A. Came in to us first.</p> <p>13 Q. Okay.</p> <p>14 A. And then went back out.</p> <p>15 Q. Okay. And it was the Thorofare</p> <p>16 operation?</p> <p>17 A. The Sewell location.</p> <p>18 Q. Sewell, New Jersey, correct?</p> <p>19 A. Correct.</p> <p>20 Q. If I got my New Jersey geography, is</p> <p>21 that near Thorofare?</p> <p>22 A. Yes. It's ten miles.</p> <p>23 Q. Okay. During the whole time through</p> <p>24 '05, '07, I guess, did your nephew continue to</p>	<p style="text-align: right;">23</p> <p>1 Q. What is a new business initiative? What</p> <p>2 does that mean? What did that mean at Electric</p> <p>3 Mobility at that time?</p> <p>4 A. We had a very solid channel of sales of</p> <p>5 products in the home, and I was to develop new</p> <p>6 relationships with other vendors to add to our</p> <p>7 existing product line that could be sold</p> <p>8 through the same channel.</p> <p>9 Q. Okay. So the new business initiatives,</p> <p>10 a "new business," referenced there is not new</p> <p>11 opportunities for sales of Rascal scooters but,</p> <p>12 rather, new opportunities to sell different</p> <p>13 products using the same sales model?</p> <p>14 A. Yes. But there were a couple other</p> <p>15 smaller initiatives. We actually were thinking</p> <p>16 of selling handicap vehicles where the side</p> <p>17 door slid open, Braun vehicles, and we entered</p> <p>18 into a contract. It didn't work out as well as</p> <p>19 we thought it would.</p> <p>20 Q. Did you say "Braun" vehicles?</p> <p>21 A. Braun is the name of the company that</p> <p>22 does conversions.</p> <p>23 Q. B-r-a-u-n?</p> <p>24 A. Yes.</p>

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<p style="text-align: right;">24</p> <p>1 Q. Okay. So that was to be an additional 2 product line that Electric Mobility was going 3 to offer for sale utilizing its existing -- 4 A. Yeah. We thought our sales reps, who 5 actually did the home demonstration, would pull 6 up in that vehicle, lower the door 7 automatically, drive the vehicle into the 8 customer's home. We thought it made the 9 ultimate sense to do that, but it was awful 10 hard to put a \$40,000 vehicle in the hands of 11 all the sales reps we had, so ... 12 Q. I see how that would be a perilous 13 prospect. 14 A. What was the most interesting job that I 15 had -- and at this time, I was working -- I was 16 probably not working full weeks. I was on my 17 way to retirement, but one of the interesting 18 projects that I was given was to develop a 19 catalog for mailings to our customers. At that 20 point, we had about 3,000,000 customer 21 prospects and about 60,000 Rascal customers, 22 and -- 23 Q. When you say 3,000,000 prospects, that 24 means a mailing list comprised of 3,000,000 --</p>	<p style="text-align: right;">26</p> <p>1 A. But everybody in our company knew that 2 demographic. 3 Q. From your description, it sounds to me 4 like the main way that Rascal products were 5 sold, marketed, distributed was direct mail to 6 customers or direct to customers primarily by 7 mail? 8 A. Yes. 9 And they would call us and set 10 up a home demonstration, and we would try to 11 arrange two home demonstrations for each of our 12 sales reps every day. 13 Q. Okay. So the, I'm sorry, 3,000,000 14 prospect mailing list was people to whom direct 15 mail solicitations were sent; they would 16 generate X percent of a call in requesting 17 demonstration, and then your 200 sales guys in 18 the field would show up and do demonstrations, 19 and close the deal. Is that the basic 20 business -- 21 A. Yes, sir. 22 Q. Okay. And there were 3,000,000 million 23 on the mailing list. Is it 6,000,000 Rascal 24 owners?</p>
<p style="text-align: right;">25</p> <p>1 A. Yeah. All the contacts we had made over 2 the years, and Orners, I believe, was a subset 3 of that, too. 4 So we saw additional 5 opportunities to develop a catalog, and they 6 put me in charge of that. And what I did -- 7 and this is certainly a tie-in to what we're 8 talking about today -- I'm a benchmarker. 9 That's what they taught us in all the different 10 educational classes we went to. So I procured 11 all the catalogs that I could find that were 12 associated with the demographics that we're 13 trying to reach, and there was a stack of them 14 (indicating). There's a lot of people that 15 tried to hit the same demographics as we were 16 trying to hit. 17 Q. What is that demographic? 18 A. 73 year old, 60 percent female, 37 19 percent men. That was our heart zone 20 demographics. 21 Q. And 3 percent other? 22 A. Yes. I don't know. I'm giving you 23 approximates. 24 Q. Okay.</p>	<p style="text-align: right;">27</p> <p>1 A. 60,000. 2 Q. Okay. So you were charged -- and this 3 is what, 2005, 2007? Is that the time period 4 we're talking about? 5 A. Absolutely. I know it was that time 6 frame. Yes. 7 Q. In charge of putting together a catalog; 8 you gathered, reviewed and analyzed catalogs 9 put out by others, presumably competitors, 10 seeking the same market, right? 11 A. Yes. 12 Q. Okay. 13 A. But what was interesting about it, we 14 knew product placement. We knew that what was 15 on the front cover was going to be the major 16 seller for a catalog, back cover, middle cover 17 next to the order form. We were experienced in 18 advertising and marketing. 19 Q. Had you ever done a catalog before -- 20 A. No. 21 Q. -- or was it just one-page mailers? 22 A. We did a couple pages, but we never -- 23 this was a full blown catalog that we were 24 embarking upon.</p>

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1 Q. Okay. Was that around the time that you
2 decided, I'm going to unretire?
3 A. Yes.
4 Q. Okay. Now, during that time period
5 between the date of your effective date of your
6 retirement, January 1, '07, and October-ish
7 '07, were you involved in any kind of business
8 ventures at all?
9 A. Well, like I said, Electric Mobility was
10 a family business. And I mentored Mike and
11 Mike mentored me. We talked a lot, so I knew
12 what was going on with the family business.
13 Q. So you remained informal adviser to
14 Electric Mobility?
15 A. He's my nephew but we are really
16 brothers, you know. Yes.
17 Q. As issues came up, he would consult with
18 you, but you weren't getting paid for it or
19 didn't have any official responsibility; is
20 that a fair statement?
21 A. Yes.
22 Q. All right. Other than Electric
23 Mobility, were you involved in any business
24 venture of any type prior to October 2007?

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1 A. Yeah. In October of 2007, I started a
2 company called Platinum Independence.
3 Q. My question was, prior to October
4 2007. . I understand you changed or --
5 A. Oh. Prior?
6 Q. Between January and October.
7 A. No.
8 Q. January and September, let's say.
9 A. No. I did nothing. I cleared my brain,
10 listened to a lot of classical music, fished,
11 traveled.
12 Q. Played some golf?
13 A. Played a lot of golf.
14 Q. All right. That's enough to drive you
15 nuts.
16 Prior to your retirement from
17 Electric Mobility and, you know, during the
18 time when you were employed there, let's say
19 back to '82, '84, had you been involved in any
20 side businesses or private businesses, or
21 anything like that?
22 MR. PASS: What specific time
23 period are you referring to?
24 MR. RODGER: Let's say 1984 to

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1 January 1st, 2007.
2 THE WITNESS: No. I don't
3 believe so.
4 Could we go off the record?
5 (Discussion held off the record.)
6 BY MR. RODGER:
7 Q. Okay. Prior to October 2007, had you
8 had any dealings whatsoever with Connect
9 America or anybody affiliated with Connect
10 America?
11 A. You know, my memory is a little foggy on
12 this, but at one point in our time line, at
13 Electric Mobility, we thought about selling
14 medical alarms, and I wasn't on that side of
15 the business. And I think Ken may have come to
16 Electric Mobility, but I'm not sure if I was
17 involved or not.
18 Q. When you say, "Ken," you mean Ken
19 Gross?
20 A. Yes.
21 Q. All right. What, if anything, occurred
22 with that? You had no involvement with it,
23 right?
24 A. I'm not sure, because I was involved in

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1 getting -- I'm a little uncertain about it, to
2 be honest with you.
3 MR. PASS: If you're uncertain,
4 then you shouldn't testify. You should
5 testify about what you know.
6 THE WITNESS: No.
7 BY MR. RODGER:
8 Q. Okay. I'll second that, for what it's
9 worth. If the answer to any question I ask you
10 is, "I don't know," the truthful answer is, "I
11 don't know," that's a perfectly acceptable
12 answer, or "I don't remember." Whatever.
13 Okay?
14 A. Okay.
15 Q. I'm here to find out what you know, not
16 what you can speculate about or your opinions
17 on things. Okay. Just facts. All right?
18 Do you have any recollection of
19 having met Ken Gross at any time before, just
20 an artificial benchmark here, October 1st,
21 2007?
22 A. No.
23 Q. Okay. Prior to October 1st, 2007, had
24 you had any dealings with Dr. Leonard's other

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<p style="text-align: right;">52</p> <p>1 than looking at their catalog as a benchmark?</p> <p>2 A. Yes.</p> <p>3 Q. What was the nature of your involvement</p> <p>4 with the Dr. Leonard's company?</p> <p>5 A. They sold our scooters in their</p> <p>6 catalogs.</p> <p>7 Q. Were you involved in that piece of it?</p> <p>8 A. No.</p> <p>9 Q. That was more the sales and marketing</p> <p>10 part of Electric Mobility?</p> <p>11 A. Yes, sir.</p> <p>12 Q. So you, as the production operations</p> <p>13 guy, were not directly involved in that</p> <p>14 relationship with Dr. Leonard's?</p> <p>15 A. I knew their shipping. I know their</p> <p>16 operations people, and I knew their receiving</p> <p>17 people. I knew that part of the business, but</p> <p>18 I wasn't responsible for the sales.</p> <p>19 Q. Okay. And what kind of business is Dr.</p> <p>20 Leonard's?</p> <p>21 A. They're a catalog business, essentially,</p> <p>22 and they sell products that help seniors.</p> <p>23 Q. So they target, essentially, the same</p> <p>24 geriatric demographic you mentioned before?</p>	<p style="text-align: right;">54</p> <p>1 A. What was intriguing about -- I assume</p> <p>2 you're going to ask me about other things that</p> <p>3 we can cover there, or I can do it here. But</p> <p>4 the next step of --</p> <p>5 MR. PASS: Your role is to</p> <p>6 answer Bruce's questions --</p> <p>7 THE WITNESS: Could you repeat</p> <p>8 it.</p> <p>9 BY MR. RODGER:</p> <p>10 Q. Rather than try to figure out what</p> <p>11 question I may ask which I may not even know.</p> <p>12 Keep it simple.</p> <p>13 A. Right.</p> <p>14 MR. PASS: Madam Court Reporter,</p> <p>15 could you please repeat the last</p> <p>16 question.</p> <p>17 (The court reporter read back as</p> <p>18 requested.)</p> <p>19 THE WITNESS: Ask a new</p> <p>20 question.</p> <p>21 BY MR. RODGER:</p> <p>22 Q. Okay. In your testimony a moment ago,</p> <p>23 you said that you followed firstSTREET because</p> <p>24 they were intriguing, and my follow-up question</p>
<p style="text-align: right;">53</p> <p>1 A. Yeah. Maybe a little younger.</p> <p>2 Q. All right. How about firstSTREET? You</p> <p>3 mentioned them as well. Had you had any</p> <p>4 involvement or dealings with firstSTREET before</p> <p>5 October 1st, 2007? I'm just using that just as</p> <p>6 an arbitrary time benchmark.</p> <p>7 A. No.</p> <p>8 Q. Okay. What is the nature of the</p> <p>9 business of firstSTREET?</p> <p>10 MR. PASS: Today or in 2007?</p> <p>11 BY MR. RODGER:</p> <p>12 Q. Okay. Let me ask you, as of 2007, what</p> <p>13 was the nature of firstSTREET, if you know?</p> <p>14 A. 2007 I knew that they were an internet</p> <p>15 marketer, and I also knew that they were a</p> <p>16 cataloger to the same demographic. And I</p> <p>17 continued to follow firstSTREET throughout the</p> <p>18 years.</p> <p>19 Q. Okay. Follow from afar or as a</p> <p>20 competitor? Why were you following firstSTREET</p> <p>21 through the years?</p> <p>22 A. I was intrigued by them.</p> <p>23 Q. What was intriguing about firstSTREET to</p> <p>24 you?</p>	<p style="text-align: right;">55</p> <p>1 was, why did you find them intriguing?</p> <p>2 A. In their catalogs, I thought they had</p> <p>3 unique products that weren't sold by anyone</p> <p>4 else. They had the best order forms, and the</p> <p>5 quality of their catalogs exceeded others by</p> <p>6 heads, you know, by a lot.</p> <p>7 Q. Okay. So firstSTREET was a company that</p> <p>8 marketed through catalogs, and did you also say</p> <p>9 through internet marketing?</p> <p>10 A. Yes.</p> <p>11 Q. Okay. Did you come to be familiar with</p> <p>12 their catalogue during this benchmarking or</p> <p>13 review process that you described before while</p> <p>14 still employed at Electric Mobility?</p> <p>15 A. Yes.</p> <p>16 Q. From and after the time you terminated</p> <p>17 your employment with Electric Mobility, did you</p> <p>18 continue to follow firstSTREET?</p> <p>19 A. Yes.</p> <p>20 Q. All right. For the same reasons you</p> <p>21 just said, because they had a unique catalog</p> <p>22 and product line?</p> <p>23 A. No. Because of the next phase of my</p> <p>24 employment history.</p>

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<p style="text-align: right;">56</p> <p>1 Q. Okay. All right. Prior to, let's say, 2 October 1st, 2007, again, using that as a 3 purely arbitrary time benchmark, had you had 4 any involvement with Internet Alliance? 5 A. No. 6 Q. And I think I asked you this before, but 7 just -- I don't remember what you said. Prior 8 to October 1st -- 9 A. I'm sorry. I'm sorry. Yes, I did. 10 Q. Okay. What was the nature of that 11 involvement? 12 A. They were one of the largest sellers of 13 seat lift chairs on the internet, and they had 14 come to visit us at Electric Mobility during 15 that time period. 16 Q. Seat lift chair is what? 17 A. Is a lift chair for the elderly. 18 Q. A traditional chair in which the seat 19 portion elevates to assist an elderly person to 20 get back on his or her feet? 21 A. Yes. 22 Q. As opposed to a chair that goes up the 23 steps or something? 24 A. Yes. That's correct.</p>	<p style="text-align: right;">58</p> <p>1 A. During that time frame or currently? 2 Q. Well, at any time when you were involved 3 in sales or marketing activities. 4 A. Well -- 5 Q. Printing up fliers for baby-sitting 6 services or something? 7 A. My younger son created a company where 8 he wanted to detail cars, and we came up with 9 the concept where he would go to companies and 10 do it while people were at work. You do it 11 on-site, that kind of stuff. 12 Q. So a one-page flier type thing? 13 A. Yeah. I told him how to reach the 14 companies and mentored him in the business, and 15 that kind of stuff. 16 Q. Is he still involved in that business? 17 A. No. 18 Q. Okay. Other than that experience, 19 helping your son prepare fliers for the other 20 detailing business, what other sales and 21 marketing experience do you have -- 22 A. Well -- 23 Q. -- prior to October 1st '07? 24 A. When I was at Electric Mobility, it was</p>
<p style="text-align: right;">57</p> <p>1 Q. Okay. And Internet Alliance had come 2 to Electric Mobility while you were there for 3 some purpose, while you were at Electric 4 Mobility? 5 A. Yes. 6 Q. Were you involved with them in that 7 interaction? 8 A. No. 9 Q. Or that had been something falling into 10 the bailiwick of the sales and marketing 11 people? 12 A. Yes. 13 Q. All right. Prior to October 1st, 2007, 14 again, using that artificial arbitrary 15 benchmark, had you ever done anything in the 16 way of sales or marketing? 17 A. Yes. 18 Q. Describe what. 19 A. I've helped my sons in their businesses, 20 made fliers, you know, to sell different 21 products during their early years out of 22 college. 23 Q. What kind of business or businesses do 24 your sons have?</p>	<p style="text-align: right;">59</p> <p>1 a family owned business. We had a Strategic 2 Planning Committee, which was an executive 3 committee also, and we had to approve all the 4 sales and marketing materials, so I was 5 involved in that. 6 Q. As part of the executive committee? 7 A. Yes. We all had to sign-off on any 8 mailings that was more than X number of 9 quantity. And the same thing for our ads that 10 were placed in Modern Maturity. They were very 11 expensive, \$250,000 per page, and I was 12 responsible for calling all the phone numbers 13 on the page to make sure they rang to our 14 company. And we had ad standards. We had 15 marketing standards. 16 Q. Modern Maturity is a publication that is 17 in -- 18 A. That was AARP. We actually -- doesn't 19 have anything to do with this. I'm sorry. So 20 I have a lot of experience with sales and 21 marketing through Electric Mobility. 22 Q. Okay. Other than what you've described, 23 anything else? 24 A. No.</p>

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<p style="text-align: right;">60</p> <p>1 Q. Okay. Again, this is prior to October</p> <p>2 1st, 2007, the time period we're talking</p> <p>3 about?</p> <p>4 A. Yes.</p> <p>5 Q. In or about October 2007, what changed</p> <p>6 in your life?</p> <p>7 MR. PASS: Objection. Excuse</p> <p>8 me. Rephrase that question.</p> <p>9 BY MR. RODGER:</p> <p>10 Q. That was a poorly phrased question.</p> <p>11 Your Counsel is absolutely right.</p> <p>12 In your earlier testimony, you</p> <p>13 said that you effectively unretired as of</p> <p>14 October 1st, 2007, thereabouts. Tell me about</p> <p>15 that.</p> <p>16 A. I was tired of swinging golf clubs, and</p> <p>17 I was bored. I was used to being around a lot</p> <p>18 of people. A lot of people reported to me. I</p> <p>19 was bored, so I got back in the business.</p> <p>20 Q. You got back into business. What kind</p> <p>21 of business did you get back into?</p> <p>22 A. I started a company called Platinum</p> <p>23 Independence, and it was basically founded</p> <p>24 through my desire and love of seniors. I loved</p>	<p style="text-align: right;">62</p> <p>1 at Electric Mobility. He was in charge of our</p> <p>2 Marketing Department.</p> <p>3 Q. All right. Had he also retired from</p> <p>4 Electric Mobility around the time you did?</p> <p>5 A. He left for a different position.</p> <p>6 Q. He left Electric Mobility to go to a</p> <p>7 different employer?</p> <p>8 A. Yes.</p> <p>9 Q. Did that happen around the same time you</p> <p>10 left?</p> <p>11 A. No. It happened earlier.</p> <p>12 Q. When did he leave?</p> <p>13 A. I don't recall.</p> <p>14 Q. Like, lot of years earlier or a month</p> <p>15 before?</p> <p>16 A. No. No. I'd say it was after the year</p> <p>17 2000, before 2005.</p> <p>18 Q. Where did he go to work?</p> <p>19 A. He became a sales and marketing</p> <p>20 consultant. He worked for a lot of different</p> <p>21 companies.</p> <p>22 Q. Did he have his own consulting</p> <p>23 business?</p> <p>24 A. Yes.</p>
<p style="text-align: right;">61</p> <p>1 helping them, and I really thought it was a</p> <p>2 good thing to help keep seniors in their home,</p> <p>3 because I knew the alternative wasn't very</p> <p>4 nice.</p> <p>5 Q. Was the company or corporation called</p> <p>6 Platinum Independence?</p> <p>7 A. Yes, sir.</p> <p>8 Q. Your role in that was what?</p> <p>9 A. Founder.</p> <p>10 Q. All right. Did you function as</p> <p>11 president, CEO?</p> <p>12 A. Managing partner.</p> <p>13 Q. Okay. How many people are involved with</p> <p>14 that company?</p> <p>15 A. Two.</p> <p>16 Q. Who is the other one?</p> <p>17 A. Walter Jacob.</p> <p>18 Q. Since you said that your role was</p> <p>19 managing partner, can I conclude that Mr. Jacob</p> <p>20 was the CEO?</p> <p>21 A. We had equal partners. We were both</p> <p>22 managing partners.</p> <p>23 Q. Who was Mr. Jacob?</p> <p>24 A. He was a lifelong friend and compatriot</p>	<p style="text-align: right;">63</p> <p>1 Q. What was that business called?</p> <p>2 A. I don't know.</p> <p>3 Q. All right. While he was off doing his</p> <p>4 sales and marketing consulting thing in the</p> <p>5 early 2000s, did you stay in touch with him?</p> <p>6 A. No.</p> <p>7 Q. When did you and he reconnect after your</p> <p>8 retirement?</p> <p>9 A. I called him because I was very good at</p> <p>10 buying, selling, distributing, and he was very</p> <p>11 good at sales and marketing. And I thought it</p> <p>12 made a lot of sense for us to get together</p> <p>13 again. I called him with a business concept</p> <p>14 that I had.</p> <p>15 Q. Did this occur in October of '07, this</p> <p>16 phone call?</p> <p>17 A. Plus or minus two months.</p> <p>18 Q. Okay. At the time when you called him,</p> <p>19 what was he doing?</p> <p>20 A. He was consulting.</p> <p>21 Q. Consulting for whom?</p> <p>22 A. I can tell you companies that he did</p> <p>23 consult for, but I don't know specifically when</p> <p>24 they were.</p>

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<p style="text-align: right;">68</p> <p>1 venture into territory that you consider to be 2 confidential proprietary, you can let me know 3 that. Okay? 4 A. Yes. 5 Q. My intention was not to delve 6 unnecessarily into confidential proprietary 7 information that's not directly relevant to our 8 claims. Okay? 9 A. Okay. 10 Q. All right. When we got off on our side 11 discussion here, I believe you were explaining 12 to me that the business proposal you made to 13 Mr. Jacob involved functioning as a 14 consolidator for what you consider to be a 15 fragmented industry relating to helping elderly 16 people stay in their homes? 17 A. That is correct. 18 Q. Is that an accurate summary of what you 19 said? 20 A. Yes. 21 Q. Okay. What, in particular, did you have 22 in mind for this proposed business with Mr. 23 Jacob? 24 A. Putting together products and services</p>	<p style="text-align: right;">70</p> <p>1 the first time, the business you were 2 proposing was not that of a consolidator, it 3 was more as a direct marketer to geriatric home 4 consumers? 5 A. Right. 6 Q. And what were you going to market? 7 A. We were going to market walk-in tubs, 8 stair lifts, scooters, large button 9 telephones. Did I say walk-in tubs? Those 10 types of product. 11 Q. Those products would be sourced from 12 someone other than Platinum Independence, I 13 assume? 14 A. Yes. 15 Q. Okay. Did you contemplate that Platinum 16 Independence would manufacture any of those 17 products? 18 A. No. 19 Q. Was Platinum Independence's function to 20 market those products to prospective 21 purchasers, who were geriatric customers, in 22 their homes? 23 A. Yes. 24 Q. Okay. And the marketing would be by</p>
<p style="text-align: right;">69</p> <p>1 that we could sell in the home. 2 Q. Okay. You used the term 3 "consolidator." What do you mean by that? 4 A. That came later in our development of 5 Platinum Independence. When we originally 6 started out, we were selling -- he was finding 7 customers through a marketing effort, and then 8 I was going into the home and trying to prove a 9 business model, that we could sell products in 10 the home using our sales and marketing 11 material, and my closing. 12 Q. Well, I'm a little confused. I thought 13 my original question was, when you first made a 14 proposal to Mr. Jacob, what was it, and you 15 said it was a business that was sort of a 16 consolidator; offer a variety of products. Now 17 you're saying that happened later? 18 A. That happened later. 19 Q. Okay. 20 A. We had a business plan, and that was the 21 first part of the business plan, to prove that 22 part of the operation. 23 Q. Okay. So in October of '07 or 24 thereabouts when you contacted Mr. Jacob for</p>	<p style="text-align: right;">71</p> <p>1 means of what? 2 A. Direct mail. Basically, direct mail at 3 that point. 4 Q. Okay. On the product launch, you kind 5 of made it off scooters. Would they include 6 Electric Mobility scooters? 7 A. Absolutely. 8 Q. Okay. In the documentation related to 9 your parting of the ways with Electric 10 Mobility, did you have anything in the way of a 11 noncompete or limitation and ability to engage 12 in the geriatric marketing industry? 13 A. No. 14 Q. Okay. 15 A. No restriction. 16 Q. Okay. Did you have in place, as of the 17 time when you left, any -- 18 A. Left where? 19 Q. I guess the time when you left Electric 20 Mobility (continuing) any relationship with a 21 company which authorized you to sell or market 22 their scooter? 23 A. Yes. It was probably verbal through my 24 brother -- my nephew.</p>

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<p style="text-align: right;">72</p> <p>1 Q. Were you a distributor or licensee, or 2 whatever it would be, after the time when you 3 retired? 4 A. Nothing official. No. 5 Q. Okay. All right. As you were 6 discussing the marketing of, among other 7 things, scooters with Mr. Jacob, you 8 anticipated that a more formal relationship as 9 a, what would it be called, a dealer, 10 distributor? 11 A. I'm sorry. Repeat the question. 12 MR. PASS: For which entity? 13 BY MR. RODGER: 14 Q. As you were discussing business 15 proposals for Platinum Independence with Mr. 16 Jacob, which, as you said, contemplated selling 17 scooters manufactured by Electric Mobility, did 18 you contemplate that you would develop a 19 distributor or sales guy, or manufacturer's rep 20 type relationship with them, with Electric 21 Mobility? 22 A. No. 23 Q. How were you going to offer their 24 products for sale?</p>	<p style="text-align: right;">74</p> <p>1 A. We started selling products in the 2 home. 3 Q. All right. When did you actually start 4 selling products? 5 A. I would say after -- I don't know the 6 exact date, but I'd say the first quarter of 7 2008. 8 Q. All right. Now, when you say, "we," you 9 mean Platinum Independence, the company you had 10 formed? 11 A. Yes. 12 Q. Was Mr. Jacob involved with you in that 13 company? 14 A. Yeah. During the whole course of the 15 relationship, it was just the two of us. There 16 were never any other employees. 17 Q. Okay. But as of the first quarter of 18 '08, Mr. Jacob was already on board? 19 A. Yes. 20 Q. If you were marketing and selling things 21 to people, presumably you had in place by then 22 supplier relationships for the product you were 23 selling? 24 A. Yes.</p>
<p style="text-align: right;">73</p> <p>1 A. It was a free, open relationship. I 2 called up and said, "I need some pictures for 3 our advertising." He'd send them over. "Mike, 4 we sold a scooter. How much is it? Okay. 5 I'll pay you when I see you next Tuesday." 6 It's like that. 7 Q. During the time when you were there, to 8 your knowledge, did Electric Mobility say, "Any 9 Tom, Dick or Harry anywhere can market our 10 scooters, and if they make a sale, hey great. 11 Give us a call. We'll fulfill it"? 12 A. No. It was a family relationship. 13 Q. Okay. Other than with respect to family 14 members like you, Electric Mobility had in 15 place formal distribution agreements of some 16 sort with the people who were marketing and 17 selling their products, right? 18 A. Absolutely. 19 Q. All right. You described apparently, in 20 more detail than necessary, the initial 21 discussions with Mr. Jacob about your 22 business. What, if any, business venture did 23 you embark upon either with Mr. Jacob or not 24 with him?</p>	<p style="text-align: right;">75</p> <p>1 Q. Did you have in place agreements with 2 suppliers of product? 3 A. Absolutely. 4 Q. Okay. What kind of agreements? 5 A. Whatever -- 6 MR. PASS: Objection. Could you 7 please be more specific in terms of what 8 kind of agreements. 9 BY MR. RODGER: 10 Q. Okay. Well, were the agreements in the 11 nature of a manufacturers rep agreement, a 12 distributor agreement, a vendor agreement, a 13 dealer agreement, a free agent agreement? 14 A. Most of the products that we sold, we 15 had to go through an application process, and 16 some companies require a contract. 17 Q. Okay. To the extent the companies 18 required a contract -- you used the term 19 "contract." I assume you mean a written piece 20 of paper defining the rights and duties of the 21 parties, right? 22 A. Yes, sir. 23 Q. Okay. As differentiated from contract 24 in the abstract legal sense. I've not heard</p>

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<p style="text-align: right;">76</p> <p>1 you testify to any graduation or attendance at 2 law school -- 3 A. I'm not a contract expert for sure. 4 Q. Okay. Let's assume for the sake of this 5 deposition that if you use the term "contract," 6 which can have legal ramifications, that's not 7 what you mean. You're using it in plain old 8 common English. Okay? 9 MR. PASS: I'm going to object 10 to that. He'll use the term "contract" 11 in the way which he understands the 12 term. If you need to drill down and ask 13 him what context he understands the 14 term, then I suggest you do that. 15 MR. RODGER: Okay. Well, that's 16 sort of what I was saying. 17 BY MR. RODGER: 18 Q. I'm not asking you for legal opinions 19 when you use the term contract, as I just did. 20 You mean a piece of paper signed off on by you 21 and the vendor? 22 MR. PASS: Same objection. 23 That's not what he said. 24 MR. RODGER: All right.</p>	<p style="text-align: right;">78</p> <p>1 offering for sale to customers -- 2 A. That's correct. 3 Q. -- and in particular, my follow-up 4 question had been, what kinds of relationships 5 did you have with the manufacturers or 6 suppliers of those products; to which you 7 responded with respect to some, we had 8 contracts, words to at that effect. What did 9 you mean by "contract?" 10 A. After we approached companies, we would 11 have to typically go through a credit 12 application and approval. Once we did that, 13 they sent us a piece of paper. I don't know 14 what it was called, whether it was an 15 agreement, contract or whatever. They would 16 send me back something, I'd fill it out, and 17 sooner or later, we'd get product. 18 Q. Okay. By virtue of the piece of paper, 19 you would be authorized on behalf of that 20 company to offer their products for sale. And 21 if somebody said, "I'd like to buy that," you 22 could remit the order to the company, and they 23 would fulfill it? 24 A. Yes.</p>
<p style="text-align: right;">77</p> <p>1 MR. PASS: For example, there 2 can be a verbal contract. There can be 3 a written contract, so -- 4 MR. RODGER: Okay. That's what 5 I was trying to clarify, Counsel, and I 6 don't know if it's particularly 7 productive for you to attempt to answer 8 my question. Let me direct the question 9 to the witness. 10 If you have an objection to a 11 question that I ask, you can articulate 12 the objection. Okay? 13 MR. PASS: Just trying to 14 streamline the deposition. Please 15 proceed. 16 MR. RODGER: I appreciate your 17 help. I haven't really been doing this 18 for that long, 34 years or so. All 19 right. 20 BY MR. RODGER: 21 Q. My questioning with respect to Platinum 22 Independence, your company, in or about the 23 first quarter of '08, I think we were looking 24 at, related to the product lines you guys were</p>	<p style="text-align: right;">79</p> <p>1 Q. Okay. 2 A. Is this a good time for me to take a 3 quick break? 4 Q. Sure. 5 (Brief recess taken.) 6 BY MR. RODGER: 7 Q. All right. When we left off, I think I 8 was asking you about relationships you had with 9 suppliers of products for your, then, new 10 venture in early 2008 called Platinum 11 Independence. What kinds of product were you 12 selling in-house? 13 A. Scooters, power chairs, in-home 14 elevators, stair lifts. 15 Q. All right. And between you and Mr. 16 Jacob -- you said there were only the two of 17 you involved in the company, right? 18 A. Yes. 19 Q. What was the division of responsibility, 20 if there was one? 21 A. He did sales and marketing. I did the 22 rest. 23 Q. All right. The rest included sourcing, 24 distribution, logistics, orders for</p>

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<p style="text-align: right;">84</p> <p>1 yes. We did have some.</p> <p>2 Q. Some kind of writing in place with</p> <p>3 respect to each of the manufacturers whose</p> <p>4 products you were offering for sale through</p> <p>5 Platinum Independence, right?</p> <p>6 A. I don't know of all, but, yes, we did</p> <p>7 have some. Yes.</p> <p>8 Q. Okay. And if I were to -- I'm not</p> <p>9 requesting them now, but if I were to request</p> <p>10 them, would you be able to produce them? Do</p> <p>11 they still exist?</p> <p>12 A. I believe some do. Yes.</p> <p>13 Q. Okay. Are there some that maybe</p> <p>14 existed, but don't anymore?</p> <p>15 A. Yes.</p> <p>16 Q. Okay. Why is that?</p> <p>17 A. Because the business was dissolved, and</p> <p>18 there wasn't ...</p> <p>19 Q. Okay. So for how long did the business,</p> <p>20 Platinum Independence, function in the manner</p> <p>21 in which you described?</p> <p>22 A. It was dissolved in April of 2009.</p> <p>23 Q. Okay. Why was that?</p> <p>24 A. Walt's significant other's businesses</p>	<p style="text-align: right;">86</p> <p>1 A. Yes.</p> <p>2 Q. What happened to the proceeds from the</p> <p>3 sales?</p> <p>4 A. Had to pay for the product, and we had</p> <p>5 fixed costs. We didn't make money.</p> <p>6 Q. Okay. Did the company lose money?</p> <p>7 A. Yes.</p> <p>8 Q. How much?</p> <p>9 A. Do I have to answer that?</p> <p>10 Q. I mean, hundreds of thousands, tens of</p> <p>11 thousands, 50 bucks?</p> <p>12 A. No. No.</p> <p>13 Q. I don't need the specific number.</p> <p>14 A. Less than 5,000 bucks.</p> <p>15 Q. Total dollar sales volume for the</p> <p>16 company approximately was what? From your</p> <p>17 quarter of magnitude --</p> <p>18 A. I don't know.</p> <p>19 Q. Under a million?</p> <p>20 A. Oh. Under 30,000.</p> <p>21 Q. Okay. When was the company finally</p> <p>22 dissolved?</p> <p>23 A. 4 of 2009, April.</p> <p>24 Q. April of 2009?</p>
<p style="text-align: right;">85</p> <p>1 started to flourish. He wasn't available for</p> <p>2 me when I needed him.</p> <p>3 His uncle owned Lancaster's</p> <p>4 Farm, which is in West Chester. After he gave</p> <p>5 millions of dollars to his sons and daughters,</p> <p>6 he started to give millions of dollars to his</p> <p>7 nephews, and Walt was one of his nephews. So,</p> <p>8 Walt became independently wealthy, and the</p> <p>9 amount of time he spent with me was harder and</p> <p>10 harder to get. And he lived in Atlanta, and he</p> <p>11 just stopped answering his phone.</p> <p>12 Q. All right. Up until that time, can you</p> <p>13 estimate on a per week basis or per month basis</p> <p>14 how much time Mr. Jacob was putting into the</p> <p>15 business of Platinum Independence?</p> <p>16 A. A lot less than I thought I was. No</p> <p>17 idea.</p> <p>18 Q. Was the company profitable?</p> <p>19 A. No.</p> <p>20 Q. Did anybody ever take home a paycheck or</p> <p>21 receive any kind of income or revenue from the</p> <p>22 company?</p> <p>23 A. No.</p> <p>24 Q. Did the company make sales?</p>	<p style="text-align: right;">87</p> <p>1 As of the time of the</p> <p>2 dissolution of the company, were all of the</p> <p>3 supplier contracts with vendors that you</p> <p>4 alluded to before still in place?</p> <p>5 A. I don't know because we didn't buy that</p> <p>6 much product. I never remember getting</p> <p>7 notification that they were ended.</p> <p>8 Q. Did you notify all the vendors, We're</p> <p>9 out of business. Let's terminate these</p> <p>10 agreements"?</p> <p>11 A. No.</p> <p>12 Q. Did anybody care?</p> <p>13 A. No.</p> <p>14 Q. Okay. Prior to April of '09, were you</p> <p>15 involved in any other kinds of business</p> <p>16 ventures?</p> <p>17 MR. PASS: Again, between what</p> <p>18 period of time are you referring to?</p> <p>19 BY MR. RODGER:</p> <p>20 Q. Let's say between October '07 and April</p> <p>21 '09, which, as I understand it, was the time</p> <p>22 period when Platinum Independence was, more or</p> <p>23 less, functioning?</p> <p>24 A. No.</p>

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<p style="text-align: right;">88</p> <p>1 Q. Okay. From and after April of 2009,</p> <p>2 did you become involved in any business</p> <p>3 ventures?</p> <p>4 A. After April of '09?</p> <p>5 Q. After whatever date it was.</p> <p>6 A. Yes, I did.</p> <p>7 Q. When Platinum stopped being an entity,</p> <p>8 what did you do, if anything?</p> <p>9 Did you go back to playing</p> <p>10 golf?</p> <p>11 A. This is a very interesting point in my</p> <p>12 life. My sister, Rose Rowen, owns a company</p> <p>13 called Rowan & Associates. They do promotional</p> <p>14 products, and I went to work for her.</p> <p>15 Q. Okay. What kind of promotional</p> <p>16 products?</p> <p>17 A. Pens, paper, cups.</p> <p>18 I may have gotten that time</p> <p>19 frame wrong.</p> <p>20 Q. If, at any time, you realize you</p> <p>21 misspoke, feel free to go back and correct it.</p> <p>22 We're looking for your best recollection here.</p> <p>23 Okay?</p> <p>24 A. Okay.</p>	<p style="text-align: right;">90</p> <p>1 was functioning, more or less?</p> <p>2 A. Yes.</p> <p>3 Q. During that same period of time -- I</p> <p>4 guess I should have asked you, during that</p> <p>5 same period of time, did you have other</p> <p>6 business ventures going on or other business</p> <p>7 interests?</p> <p>8 A. Yes.</p> <p>9 Q. Okay. And what other business interests</p> <p>10 did you have?</p> <p>11 A. I found Connect America and started a</p> <p>12 business relationship with them.</p> <p>13 Q. And that's the business relationship at</p> <p>14 issue in our case?</p> <p>15 A. Yes.</p> <p>16 Q. Believe it or not, we're going to come</p> <p>17 back to that. Doesn't sound like it, but we</p> <p>18 will. For now, let me just round up what else</p> <p>19 was going on.</p> <p>20 A. Okay.</p> <p>21 Q. Okay. So, a business relationship of</p> <p>22 some sort was formed prior to April of '09 and</p> <p>23 during the time when Platinum Independence was</p> <p>24 still functioning, more or less?</p>
<p style="text-align: right;">89</p> <p>1 Q. I can't remember what I did last</p> <p>2 Tuesday, so if you're off a little bit on a</p> <p>3 date from '09, that's entirely understandable.</p> <p>4 MR. PASS: Do you need to go</p> <p>5 back to the original question about the</p> <p>6 time frame between October of '08 and</p> <p>7 April '09?</p> <p>8 THE WITNESS: Oh. Okay. I'm</p> <p>9 sorry.</p> <p>10 BY MR. RODGER:</p> <p>11 Q. My current question is directed to --</p> <p>12 you said, I think, that Platinum Independence</p> <p>13 ceased functioning in April of '09?</p> <p>14 A. Yes. And then you skipped from there.</p> <p>15 Q. I said "after that."</p> <p>16 A. Prior to that. Prior to that, I had a</p> <p>17 relationship with Connect America.</p> <p>18 Q. Okay. I had asked you -- the time</p> <p>19 period for the existence of Platinum</p> <p>20 Independence, as I understand it, was,</p> <p>21 inception in or about October of '07;</p> <p>22 dissolution or termination in April of '09?</p> <p>23 A. That's correct.</p> <p>24 Q. During that period of time, that company</p>	<p style="text-align: right;">91</p> <p>1 A. That's correct.</p> <p>2 Q. Okay. Other than the relationship with</p> <p>3 Connect America, and we'll come back to that in</p> <p>4 detail, did you have any other business</p> <p>5 ventures going on, let's say, between October</p> <p>6 '07 and April of '09?</p> <p>7 A. Yes.</p> <p>8 Q. Okay. What other business ventures did</p> <p>9 you have?</p> <p>10 A. I had a relationship with firstSTREET.</p> <p>11 Q. Okay. What was the nature of the</p> <p>12 relationship with firstSTREET?</p> <p>13 A. There was a bunch of different</p> <p>14 relationships. I was entering into a joint</p> <p>15 venture agreement with them.</p> <p>16 Q. Okay. Your relationship with</p> <p>17 firstSTREET, when did that first come into</p> <p>18 being?</p> <p>19 A. October 22nd.</p> <p>20 Q. Of what year?</p> <p>21 A. Or 23rd. One of those two dates.</p> <p>22 Q. Of what year?</p> <p>23 A. 2008.</p> <p>24 Q. All right. You seem to be fairly</p>

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<p style="text-align: right;">92</p> <p>1 definitive about the date when the relationship 2 came into being. How did the relationship come 3 into being with firstSTREET? 4 This is what we're talking about 5 now, right, firstSTREET? 6 A. That's correct. 7 Q. Okay. How did the relationship come 8 into being? Was there an agreement signed, for 9 example? 10 A. No. Presentation. 11 Q. Okay. So you made a presentation to 12 firstSTREET or vice versa? 13 A. I made a presentation to firstSTREET. 14 Q. Was that on behalf of Platinum 15 Independence, or was that you pursuing a 16 business interest independent of Platinum 17 Independence? 18 A. It was with respect to Platinum 19 Independence. 20 Q. Okay. What was the nature of the 21 presentation? Were you pitching something? 22 A. I was pitching something. 23 Q. What were you pitching? 24 A. Walt and I had this theory that</p>	<p style="text-align: right;">94</p> <p>1 marketing and advertising and get 100,000 2 leads. So, they have a whole bunch of leads 3 that are sitting there, all right, that they 4 didn't sell anything to nor will they. They 5 might sell a little more to that base, but not 6 a lot, so our concept -- we called Connect 7 America a category killer. They sold one 8 product, they did it well and they did it great 9 process. 10 So, Walt and I delineated a 11 whole bunch of these category killers, and we 12 were going to go to all of them. The 13 presentation basically outlined how, by 14 combining the leads, and those companies 15 deciding their level of involvement with 16 Platinum Independence based on a membership 17 fee, all right -- they could be Platinum 18 members. Depending on how much they wanted to 19 get involved, they could join Platinum 20 Independence, and we would be the marketing 21 company for all these category killers. 22 We would combine the data 23 basis. We would do the marketing on television 24 under the brand Platinum Independence. We</p>
<p style="text-align: right;">93</p> <p>1 companies spent a lot of money in advertising 2 and marketing, and, specifically, companies 3 that only had one product. They may have 4 generated 100,000 leads, but only sold to 5 20,000 customers. Okay. 6 Our premise was, we can help 7 you figure out what to do with those 80,000 8 leads. 9 Q. Okay. The "we" you used there is 10 Platinum Independence? 11 A. Yes. Walt and me. 12 Q. Okay. So you were going to be offering 13 a service to companies like firstSTREET to 14 maximize their close rate on leads? 15 A. No. Oh, yes. Eventually that would 16 happen. Yes. 17 Q. Okay. Tell me what it is you were 18 saying. I'm not meaning to suggest things. 19 A. No. I understand. It's actually pretty 20 easy once you understand it. 21 A company like, and I'd hate to 22 use Connect America but I am, Connect America 23 only sells one product. Okay. And they might 24 sell 2000 widgets, okay, but they may do</p>	<p style="text-align: right;">95</p> <p>1 would develop the in-homes sales force for 2 these organizations, because that's what we 3 were good at, and we would take a profit from 4 that. The presentation was basically getting 5 them interested in becoming a Platinum 6 Independence member. 7 Q. All right. Under the concept you just 8 described, would this be, for example, one home 9 medical alert company product and one scooter 10 product, and one of each -- 11 A. Yes. 12 Q. -- product category? 13 A. That was the concept that we were going 14 on because that made sense, that they had a lot 15 of excess leads that they couldn't sell. 16 Q. All right. How many people signed up to 17 be members of Platinum Independence? 18 A. 0. 19 Q. Okay. Do you know why that was? 20 A. Yes. 21 Q. Why? 22 A. Because we only made the presentation to 23 two companies. 24 Q. All right. FirstSTREET you mentioned,</p>

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<p style="text-align: right;">128</p> <p>1 Mr. Gross on the other end?</p> <p>2 A. Yeah.</p> <p>3 Q. All right. What did they say?</p> <p>4 A. I believe they made arrangements to talk</p> <p>5 the next day.</p> <p>6 Q. All right. How long did that</p> <p>7 conversation occur, that phone conversation</p> <p>8 between Mr. Medina and Mr. Gross, after the</p> <p>9 time when you first handed the phone to Mr.</p> <p>10 Medina and said this is Mr. Gross of Connect</p> <p>11 America?</p> <p>12 A. Relatively short.</p> <p>13 Q. A minute?</p> <p>14 A. Couple minutes.</p> <p>15 Q. Could be less than a minute?</p> <p>16 A. I don't know. I really don't know. I</p> <p>17 made the introduction.</p> <p>18 Q. Could you hear both sides of the</p> <p>19 conversation?</p> <p>20 A. No.</p> <p>21 Q. Was it a conference call?</p> <p>22 A. No.</p> <p>23 Q. You could hear what Medina said?</p> <p>24 A. Yes.</p>	<p style="text-align: right;">130</p> <p>1 Q. All right. Medina then hung up the</p> <p>2 phone, and what happened that day?</p> <p>3 A. I went out to my car. I called Dave</p> <p>4 and --</p> <p>5 Q. Called Dave who?</p> <p>6 A. I mean Ken and told him about -- I</p> <p>7 believe I told him everything that happened. I</p> <p>8 told him, "You've got to move on this thing."</p> <p>9 I said, "I can't believe this happened." I</p> <p>10 didn't even know firstSTREET personally for a</p> <p>11 week prior to that. Ken made me this offer to</p> <p>12 go down there and make the introduction, I did</p> <p>13 it, and the next day, Ken and Dave spoke. I</p> <p>14 know they spoke because I was copied on an</p> <p>15 e-mail, and off to the races.</p> <p>16 Q. All right. Did you have any further</p> <p>17 conversations with Dave Medina related to a</p> <p>18 relationship between firstSTREET and Connect</p> <p>19 America?</p> <p>20 A. That day, ever?</p> <p>21 Q. Ever?</p> <p>22 A. Yes.</p> <p>23 Q. When?</p> <p>24 A. I was probably -- it was probably my</p>
<p style="text-align: right;">129</p> <p>1 Q. What did Medina say?</p> <p>2 A. I don't know verbatim, but he said, "We</p> <p>3 should talk."</p> <p>4 Q. All right. What else, anything?</p> <p>5 A. That's all I recall.</p> <p>6 Q. Did he say, "We're thinking of doing</p> <p>7 monitoring service" --</p> <p>8 A. No.</p> <p>9 Q. -- "offerings" --</p> <p>10 A. No.</p> <p>11 Q. "We're thinking of getting into PERS.</p> <p>12 We want to get into business with Connect</p> <p>13 America," or did he say, "Let's talk"?</p> <p>14 A. I'm sure they said more than, "Let's</p> <p>15 talk," but I don't recall specifically what</p> <p>16 they said. And I couldn't hear both sides of</p> <p>17 the conversation.</p> <p>18 Q. Okay.</p> <p>19 A. I can tell you -- well, okay.</p> <p>20 Q. Go ahead.</p> <p>21 A. No. I'm sorry.</p> <p>22 Q. If you don't remember anything else, you</p> <p>23 don't remember.</p> <p>24 A. I don't remember else anything.</p>	<p style="text-align: right;">131</p> <p>1 next visit down to firstSTREET.</p> <p>2 Q. Which was when?</p> <p>3 A. It was in November.</p> <p>4 Q. November of '08?</p> <p>5 A. Yes.</p> <p>6 Q. What was the purpose of that visit?</p> <p>7 A. I think to show him the other scooter</p> <p>8 that I told you about, the low price scooter.</p> <p>9 Q. Okay.</p> <p>10 A. And he gave me an update. He said it</p> <p>11 was still up. He's still considering the other</p> <p>12 two companies, and that was about the extent of</p> <p>13 that conversation.</p> <p>14 Q. That was with respect to what, scooters</p> <p>15 or --</p> <p>16 A. PERS units.</p> <p>17 Q. PERS units. Okay.</p> <p>18 So as of that time in November,</p> <p>19 there had been no relationship reached between</p> <p>20 Connect America and firstSTREET?</p> <p>21 MR. PASS: Objection. That's</p> <p>22 not what he said.</p> <p>23 BY MR. RODGER:</p> <p>24 Q. All right. Is that an inaccurate</p>

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1 statement?

2 I understand you said that

3 firstSTREET told you, "We haven't made any

4 decision. We're still considering two other

5 companies for PERS units"?

6 A. That's correct.

7 Q. Did you understand that to mean that as

8 of that point in time, there has been no

9 relationship or no agreement entered into

10 between firstSTREET and Connect America?

11 A. I did not know if the relationship had

12 been finalized.

13 Q. If Medina told you they're still talking

14 to two other companies, did you have an

15 understanding as to whether that meant they had

16 sealed the deal with Connect America?

17 A. No. To me, it was still undecided at

18 that point, and that was an update, basically.

19 Q. Okay. When was the next time you saw

20 Dave Medina?

21 A. At Medtrade where I introduced them.

22 That was later in -- yeah. That was later.

23 That was in October or November or something.

24 Q. All right. What was the purpose of

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1 getting together with him there?

2 A. To show him uniquely the Luggie Scooter

3 that folds down. You can sell them at --

4 Q. Okay. So you made a demonstration of

5 the Luggie Scooter?

6 A. Yes.

7 Q. Was that at the show?

8 A. Yes.

9 Q. All right. What else did you and Medina

10 talk about?

11 A. Well, I don't recall, to be honest with

12 you.

13 Q. I have less idea than you do, so you're

14 going to have to inform both of us as to what

15 you were talking about.

16 A. Nothing. Nothing other than the Luggie

17 Scooter.

18 Oh. We were talking about our

19 joint venture agreement, because I had done a

20 projection based on -- we were in intense

21 negotiations with this joint venture

22 agreement.

23 Q. This is relating to what?

24 A. Selling the Luggie Scooter. We had done

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1 projections. They had said that they were

2 going to spend \$6,000,000 in advertising, so I

3 did a projection, and that related to

4 approximately \$80,000,000 in sales of the

5 Luggie Scooter.

6 And we did talk about that at

7 the show, and at that time, it dwarfed any

8 expectations of any other business relationship

9 I had. And Connect America -- or firstSTREET

10 was very excited about entering into that joint

11 venture agreement with me.

12 Q. Okay. Now, when you say, "with me," was

13 that me, Mr. Flowers, or was that me, Platinum

14 Independence?

15 A. It was Platinum Independence.

16 Q. Okay. So the joint venture agreement

17 that was under discussion related exclusively

18 to the Luggies?

19 A. Luggie Scooter, because it fit in a

20 luggage.

21 Q. So the discussion was between Platinum

22 Independence, with you as their representative,

23 and firstSTREET with Mr. Medina. What was

24 contemplated? Was a joint venture agreement

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1 under the terms of which firstSTREET would

2 invest \$6,000,000 in advertising; Platinum

3 Independence would supply the scooters?

4 A. Supply the scooters, the marketing,

5 warehousing.

6 Q. Okay. And was that joint venture ever

7 reduced to writing?

8 A. Yes.

9 Q. Was it ever executed? Was the writing

10 ever executed, signed?

11 A. We couldn't reach final terms in the

12 agreement. The bottom line is, it was too

13 vague for me to accept, and they opted not to

14 pay me any money until the company was

15 profitable. And there were a lot of problems

16 with the contract.

17 Q. All right. The joint venture had become

18 forming a new entity, a new joint venture?

19 A. Yes.

20 Q. That would be different than Platinum

21 Independence and firstSTREET?

22 A. That was one of the issues that couldn't

23 be decided either.

24 Q. Was there a written proposal generated

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<p style="text-align: right;">136</p> <p>1 by you, you or them?</p> <p>2 A. Yes.</p> <p>3 Q. But it was never signed, right?</p> <p>4 A. No, sir.</p> <p>5 Q. Do you still have a written proposal?</p> <p>6 A. Yes, I do.</p> <p>7 Q. Did you ever enter into any kind of</p> <p>8 relationship with firstSTREET related to the</p> <p>9 Luggies Scooter?</p> <p>10 A. No. But I did find out that they went</p> <p>11 around me and contacted the manufacturer</p> <p>12 directly.</p> <p>13 Q. And did you ever take legal action</p> <p>14 against them for doing that?</p> <p>15 A. No. Because I don't like to sue</p> <p>16 people. I did make them aware of it.</p> <p>17 Q. Okay. Did you have any kind of a</p> <p>18 nondisclosure, noncompete arrangement with them</p> <p>19 when you disclosed to them the Luggies</p> <p>20 concept?</p> <p>21 Sometimes when people</p> <p>22 entrepreneur with an idea, before they tell the</p> <p>23 other party about it, they make then sign some</p> <p>24 kind of a nondisclosure --</p>	<p style="text-align: right;">138</p> <p>1 BY MR. RODGER:</p> <p>2 Q. I think that's what you said.</p> <p>3 A. I don't know what you're referring to.</p> <p>4 Q. All right. At the meeting when you were</p> <p>5 talking about the joint venture --</p> <p>6 A. The joint venture at Medtrade?</p> <p>7 Q. Yes (continuing) was anything else</p> <p>8 talked about at that meeting?</p> <p>9 A. That was quite enough. I don't</p> <p>10 remember.</p> <p>11 Q. Okay. So the answer to my question is</p> <p>12 no?</p> <p>13 A. Right.</p> <p>14 MR. PASS: The answer to the</p> <p>15 question is -- he said he doesn't</p> <p>16 remember.</p> <p>17 MR. RODGER: Well, I've heard</p> <p>18 him say no twice, but I'm asking the</p> <p>19 question.</p> <p>20 Could you please read back the</p> <p>21 question (addressing the court</p> <p>22 reporter).</p> <p>23 (The court reporter read back as</p> <p>24 requested.)</p>
<p style="text-align: right;">137</p> <p>1 A. Yes, I did.</p> <p>2 Q. Okay. So they signed a nondisclosure</p> <p>3 before you disclosed to them the Luggies --</p> <p>4 A. Yes.</p> <p>5 Q. And what they did was then violate that</p> <p>6 by going around a nondisclosure? Noncircumvent</p> <p>7 is also the other provision used in an</p> <p>8 agreement like that.</p> <p>9 A. I may be naive, but yes.</p> <p>10 Q. Okay. So if I understand you correctly,</p> <p>11 firstSTREET entered into, with you and/or with</p> <p>12 Platinum Independence, a nondisclosure</p> <p>13 noncircumvent agreement before you told them</p> <p>14 about the Luggies. Your negotiations never</p> <p>15 resulted in a deal, but then they circumvented</p> <p>16 and now offered that product for sale directly</p> <p>17 from the manufacturer?</p> <p>18 A. I don't know how they're getting the</p> <p>19 product, but yes.</p> <p>20 Q. All right. And as you said at the</p> <p>21 meeting with Dave, that was such an exciting</p> <p>22 opportunity, you didn't talk about anything</p> <p>23 else, right?</p> <p>24 MR. PASS: Objection.</p>	<p style="text-align: right;">139</p> <p>1 BY MR. RODGER:</p> <p>2 Q. Other than the discussions that you now</p> <p>3 described in some detail with firstSTREET</p> <p>4 relating to a possible joint venture agreement</p> <p>5 involving the Luggies, did you have any other</p> <p>6 discussions with him at the Medtrade meeting?</p> <p>7 A. No.</p> <p>8 Q. Okay. Were there any other subjects</p> <p>9 discussed during that meeting at Medtrade</p> <p>10 between you and firstSTREET representatives?</p> <p>11 A. I don't recall.</p> <p>12 Q. Okay. When was the next time you had</p> <p>13 any communication with Dave or anybody else</p> <p>14 from firstSTREET about anything?</p> <p>15 A. I don't recall what month it was, but</p> <p>16 Michael Flowers called me and said, "I have an</p> <p>17 exciting new scooter that was just introduced</p> <p>18 from Taiwan, and it was virtually untipable."</p> <p>19 So, I took it down to</p> <p>20 firstSTREET. And they looked at it, and they</p> <p>21 didn't think it was much different than the</p> <p>22 scooter they currently had in their catalog.</p> <p>23 And it didn't go anywhere.</p> <p>24 Q. About when was that? The earlier things</p>

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<p style="text-align: right;">144</p> <p>1 people together. And, certainly, I was trying 2 to get their lighting business quota from my 3 former employee at Electric Mobility, and I had 4 a verbal agreement with him that I would get a 5 percentage if he was able to procure it. 6 Q. Verbal agreement with the vendor of the 7 lighting equipment if you could get them into 8 firstSTREET? 9 A. Yes. 10 Q. Okay. It wasn't a written agreement? 11 A. No. 12 Q. Was that evidenced by e-mails or any 13 kind of written exchange of anything? 14 A. No. Called him up and asked him. 15 Q. All right. And he said, "Yeah. You get 16 them in." What was he going to pay you? 17 A. It wasn't decided. 18 Q. Something? 19 A. Something. 20 Q. Okay. 21 A. Trailmate. Trailmate. I called Harry 22 Bakker, the president of Trailmate, and told 23 him. I said, "I have a company." I said, "I 24 would like an introduction fee," and Harry</p>	<p style="text-align: right;">146</p> <p>1 not on the deal involving you? 2 A. No. Trailmate had quoted the product 3 before, and it was too high, so their quote was 4 still too high. 5 Q. Okay. You called Trailmate out of the 6 blue and said, "I can introduce" -- 7 A. No. I knew Trailmate. Believe it or 8 not, I know things. I knew Trailmate. I knew 9 Harry Bakker is the President. 10 Q. All right. Let's go back to 11 firstSTREET. Has firstSTREET ever paid you any 12 money for anything you've ever done on their 13 behalf or in connection with them? 14 A. No. 15 Q. Okay. Are there any circumstances under 16 which, based on what you perceived to be some 17 kind of relationship with them, that if 18 something occurs, they owe you money? 19 A. With them? No. 20 Q. Yeah. Okay. 21 All right. When did you first 22 meet Ken Gross? 23 A. I'd say September of '08. 24 Q. How did it come to be that you met Mr.</p>
<p style="text-align: right;">145</p> <p>1 said, "I don't pay them." He said, "but I'll 2 pay you commission on every product that you 3 sell." I said, "Okay. This is their name. 4 Call them." 5 Q. What's Trailmate? 6 A. Trailmate is the tricycle manufacturing 7 in Sarasota, Florida that I do. 8 Q. Okay. Did you have a written agreement 9 or any kind of written confirmation of your 10 understanding with Trailmate? 11 A. I believe there were e-mails. Yes. 12 Q. Okay. Have you, in fact, been paid 13 money by Trailmate for whatever it is you did 14 on their behalf with respect to firstSTREET? 15 A. No. 16 Q. Have any sales, in fact, been made? 17 A. When they got together, they realized 18 that Trailmate had been already quoted on the 19 product, and there was no sense in moving 20 forward on it. 21 Q. Moving forward on a deal between 22 Trailmate and firstSTREET? 23 A. That's correct. 24 Q. Or they were going to move forward, but</p>	<p style="text-align: right;">147</p> <p>1 Gross? 2 A. We were looking for category killers. 3 Q. "We," there's the problematic pronoun. 4 A. Walt and I. Platinum Independence was 5 looking for category killers and the research. 6 His one product, large number of sales, lots of 7 leads. 8 Q. Okay. So you became aware of Connect 9 America through that research, and then what 10 happened? 11 A. And I called Ken and asked if we could 12 sell PERS units. 13 Q. Okay. The "we" again. 14 A. Platinum Independence. 15 Q. All right. What did he say? 16 A. "Sure." 17 Q. All right. Was it Mr. Gross who you 18 actually spoke to? 19 A. Yes. 20 Q. Had you ever met him, or had you ever 21 met him before? 22 A. No. Like I said before, he may have 23 visited Electric Mobility earlier than that, 24 but I don't believe I met him there.</p>

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<p style="text-align: right;">148</p> <p>1 Q. Okay. And you wouldn't have been 2 involved in that visit if he had visited, 3 right? 4 A. That's correct. 5 Q. Okay. So you called Ken Gross out of 6 the blue and said, "We'd like to sell your PERS 7 units," right? 8 MR. PASS: Objection. He didn't 9 testify he called out of the blue. He 10 testified that he called after -- 11 THE WITNESS: It was an 12 intentional call. It was an intentional 13 call. 14 BY MR. RODGER: 15 Q. I didn't mean to suggest otherwise. 16 Up until the time of your phone 17 call to Mr. Gross at Connect America, you had 18 no prior existing relationship with him? 19 A. That's correct. 20 Q. Did he have any idea of who you were? 21 A. I don't know. 22 Q. You knew who he is by virtue of your 23 category killer? 24 A. Yes, sir.</p>	<p style="text-align: right;">150</p> <p>1 Q. Okay. How was it left in terms of going 2 forward with that deal? 3 A. Well, I went with him, and, basically, I 4 was there to basically decide if he was a 5 category killer. So I did a tour of the 6 facility, and I thought everything looked 7 great. I sent him an E-mail to that effect, 8 and we never did anything. 9 We set up another appointment 10 where I suggested that we give the presentation 11 for Platinum Independence, and I believe that 12 happened in the first or second week of October 13 of 2008. 14 Q. All right. And where did that second 15 meeting occur, at the Connect America 16 headquarters? 17 A. Where? 18 Q. Where are those headquarters located? 19 A. One West Chester Pike in Broomall. 20 Q. All right. And how long did that 21 meeting last? 22 A. I'd say an hour, hour and a half. 23 Q. How long did the first meeting last? 24 A. I don't remember.</p>
<p style="text-align: right;">149</p> <p>1 Q. And, so, you contacted him on or about 2 September for the purpose of seeing if your 3 company, Platinum Independence, could sell 4 your PERS units or Connect America's PERS 5 units? 6 A. Yes. 7 Q. All right. What did he say? 8 A. We set up an appointment, and I went to 9 visit him. 10 Q. All right. When was that visit? 11 A. In September. 12 Q. September '08? 13 A. Yes. 14 Q. All right. Where was that visit? 15 A. In his office. 16 Q. Okay. What happened there? 17 A. He showed me around and I was quite 18 impressed. And he said that we could become a 19 dealer, and part of the dealer agreement is, 20 you know, we could sell the PERS units 21 basically. I was given a tour of the facility, 22 and that was pretty much it. 23 Q. Were you given a written agreement? 24 A. No.</p>	<p style="text-align: right;">151</p> <p>1 Q. More than an hour? 2 A. Yes. 3 Q. More than two hours? 4 A. No. 5 Q. All right. Was it the first meeting 6 that you raised the possibility of Platinum 7 Independence becoming a dealer for Connect 8 America PERS? 9 A. Yes. The first meeting, it was 10 interesting because he offered, as part of the 11 dealer package, \$15 a month recurring revenue, 12 and I had already been buying them from 13 Amcest. And I knew the average length of a 14 contract was 30 months. 15 And I had already figured out, 16 you know, when he told me the most I could get 17 was \$15 recurring revenue -- and I'd have to go 18 out and get the sale and take care of the unit 19 and all that stuff I was -- I had a better deal 20 with Amcest; because I was buying the unit for 21 \$126, and the monitoring was costing me \$6 a 22 month. So, it was \$450 versus \$350, and his 23 deal wasn't very attractive to me. 24 Q. So going with Connect America, you</p>

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<p style="text-align: right;">152</p> <p>1 concluded after the first meeting it was a bad 2 deal? 3 A. No. Because it qualified him as a 4 category killer. That was under the dealer 5 agreement. It has nothing to do with the 6 strategic alliance thing. This was to sell our 7 10 or 20 little units to retail customers. 8 Q. You're now talking about the 9 relationship between Platinum Independence and 10 Amcest? 11 A. Platinum Independence and Connect 12 America. 13 Q. All right. You're losing me here. 14 All right. At the first meeting 15 with Ken Gross, the subject of the conversation 16 was the possibility of Connect America PERS 17 products and services being sold as part of 18 this joint marketing effort by Platinum 19 Independence? 20 A. What do you mean joint venture? 21 Q. Marketing consortium or whatever. 22 MR. PASS: Objection. That's 23 not how he described it. 24 BY MR. RODGER:</p>	<p style="text-align: right;">154</p> <p>1 America dealer and -- 2 Q. On who being a Connect America dealer? 3 A. Platinum Independence being a Connect 4 America dealer. 5 Q. Okay. And at that time, you took the 6 floor and -- 7 A. He said that you can have \$15 a month in 8 recurring revenue. 9 Q. Okay. And you concluded at that meeting 10 that that was not a good deal? 11 A. Yes. 12 Q. Okay. Meeting ended; that was a meeting 13 that took a couple hours? 14 A. Hour and a half. Hour, hour and a half. 15 Q. All right. And at the end of that 16 meeting, what was agreed to, if anything? 17 A. That we'd like to come back and 18 present the Platinum Independence program to 19 him. 20 Q. Okay. So the first meeting was to 21 discuss the possibility of you becoming a 22 dealer; second meeting was to discuss the 23 possibility of Connect America becoming part of 24 the Platinum Independence network?</p>
<p style="text-align: right;">153</p> <p>1 Q. All right. Platinum Independence was 2 recruiting -- if I understand correctly, at the 3 first meeting, Platinum Independence was 4 contemplating bringing Connect America products 5 and services in as products that they would 6 market jointly with other manufacturers? 7 A. No. 8 Q. All right. Go back again. 9 A. Okay. 10 Q. First meeting with Ken Gross was to 11 discuss what? 12 A. Platinum Independence was doing home 13 sales. I was selling directly to consumers, 14 and part of our product was PERS units. I was 15 buying them from Amcest for \$126, plus \$6 a 16 month in monitoring fees. 17 Q. And that was in place as of September 18 '08? 19 A. That's correct. 20 Q. And September '08, you contact Mr. 21 Gross, as you discussed, get together with him 22 for what purpose; what were you going to talk 23 about? 24 A. What his deal was on being a Connect</p>	<p style="text-align: right;">155</p> <p>1 A. That's correct. 2 Q. And those are different concepts, 3 right? 4 A. Yes. 5 Q. Okay. The second meeting occurred in or 6 about the first or second week of October? 7 A. That's correct. 8 Q. All right. Who was present at that 9 meeting? 10 A. Ken. 11 Q. All right. And you? 12 A. Yes. 13 Q. Anybody else? 14 A. No. 15 Q. How about the first meeting, just you 16 and Ken? 17 A. Yes. 18 Q. All right. Second meeting in October, 19 did you make the pitch for Connect America 20 becoming part of the Platinum Independence 21 marketing system? 22 A. Yes. 23 (Brief recess taken.) 24 BY MR. RODGER:</p>

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<p style="text-align: right;">188</p> <p>1 Q. All right. What was your understanding 2 of the scope and nature of the obligation Mr. 3 Gross made to you, the legal obligation Mr. 4 Gross committed to, with respect to the sale of 5 Connect America PERS products through 6 firstSTREET?</p> <p>7 MR. PASS: Other than what's in 8 the Complaint?</p> <p>9 BY MR. RODGER:</p> <p>10 Q. Well, why don't you tell me what your 11 understanding is.</p> <p>12 A. The term "legal," I don't understand 13 what you mean by legal.</p> <p>14 Q. All right.</p> <p>15 A. I knew he made me an offer that I could 16 split -- I had \$15 of monthly recurring revenue 17 to split between me and firstSTREET. And to 18 me, that meant I could go down to firstSTREET 19 and tell them about Connect America, and figure 20 out a split between me as an introducer and 21 what firstSTREET would accept.</p> <p>22 Q. Okay.</p> <p>23 A. And I wasn't negotiating. I was just 24 influencing.</p>	<p style="text-align: right;">190</p> <p>1 forever?</p> <p>2 A. Because it came up in subsequent 3 concepts that were presented well beyond the 4 initial date of the offer.</p> <p>5 Q. All right. When you say, "it came up in 6 subsequent concepts," I'm not sure I understand 7 your use of the term "concepts." Do you mean 8 communications?</p> <p>9 A. Yes.</p> <p>10 Q. What kind of communications?</p> <p>11 A. Well, future agreements. I'll let you 12 ask the questions.</p> <p>13 Q. Future agreements, okay. Agreements 14 between who?</p> <p>15 A. Connect America and myself.</p> <p>16 Q. Relating to what, firstSTREET?</p> <p>17 A. No. All strategic alliance clients that 18 I introduced to Connect America.</p> <p>19 Q. Are we in agreement that when you use 20 the term "concepts," you mean communications?</p> <p>21 A. Yes.</p> <p>22 Q. Okay. What communications are you 23 referring to?</p> <p>24 A. In February of '09, I was asked by Ken</p>
<p style="text-align: right;">189</p> <p>1 Q. What you were to do specifically was 2 what?</p> <p>3 A. Go down and introduce them.</p> <p>4 Q. Introduce them, okay.</p> <p>5 What, if any, understanding do 6 you have as to the duration or manner of 7 payment from that \$15 per sale?</p> <p>8 MR. PASS: Objection only 9 because it's a compound question. Could 10 you please split it up.</p> <p>11 BY MR. RODGER:</p> <p>12 Q. All right. What, if any, understanding 13 do you have as to how long that \$15 per sale 14 Connect America was committed to pay?</p> <p>15 A. I have no preconceived notions about 16 that. I assume it was forever.</p> <p>17 Q. Did Mr. Gross say it was forever?</p> <p>18 A. No.</p> <p>19 Q. You assumed it was forever. What was 20 the basis for your assumption?</p> <p>21 A. I don't have any basis for that 22 assumption.</p> <p>23 Q. Okay. Well, if Mr. Gross didn't say 24 that, why do you contend that it was</p>	<p style="text-align: right;">191</p> <p>1 to develop a dealer agreement.</p> <p>2 Q. February '09?</p> <p>3 A. Mm-hmm.</p> <p>4 Q. Okay. How was that request 5 communicated; verbal, written, e-mail, text?</p> <p>6 A. We were having an on and off 7 relationship for quite a while, and Ken asked 8 me where I was. And I wasn't -- I didn't 9 disappear. I was dealing with the joint 10 venture relationship between firstSTREET and 11 Platinum Independence, and that took up a 12 significant amount of time. And Ken sent me an 13 e-mail like, "Where are you. I thought you 14 wanted to be a dealer," so --</p> <p>15 Q. This is February '09?</p> <p>16 A. Yes.</p> <p>17 Q. That's, like, two months after the 18 November '08 initial conversation?</p> <p>19 A. Yes.</p> <p>20 Q. Okay. So he sent you an e-mail saying, 21 "Where are you. I thought you wanted to be a 22 dealer?"</p> <p>23 A. Yes.</p> <p>24 Q. All right. And you testified that he</p>

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

- - - - -
GEORGE G. FLOWERS, : No. 12-4787
:
Plaintiff, :
v. :
:
CONNECT AMERICA.COM, LLC, :
:
Defendant. :
- - - - -

- - -
MONDAY, JANUARY 7, 2013
- - -

Oral deposition of GEORGE FLOWERS,
taken pursuant to notice, held at the LAW OFFICES
OF HENRY IAN PASS, 3 Bala Plaza, Suite 700A,
Bala Cynwyd, Pennsylvania, 19004, commencing at
3:25 a.m. before Shauna L. Detty, Court Reporter -
Notary Public there being present.
- - -

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1 occasionally getting calls, but not doing it full
 2 time?
 3 A. No, I was doing it full time probably
 4 from March or April through December.
 5 Q. Of 2010?
 6 A. Yes.
 7 Q. Other than the Platinum Independence
 8 venture, which you've already described in detail
 9 at your last deposition, and Rowan & Associates,
 10 which you've talked about, and not including the
 11 Anthony gate, which apparently got started sometime
 12 after December 2010 --
 13 A. Correct.
 14 Q. All right.
 15 -- in the '08/'09 time period, were
 16 you involved with any other businesses in any way?
 17 A. Yes.
 18 Q. What other businesses?
 19 A. VRI.
 20 Q. Okay.
 21 What is VRI? Does that stand for
 22 something?
 23 A. Value relationships something.
 24 Q. Value relationships something.

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1 The something begins with an I?
 2 A. Something begins with an I.
 3 Q. All right.
 4 When did you become affiliated with
 5 VRI?
 6 A. April of 2009.
 7 Q. When did you cease being affiliated with
 8 VRI?
 9 A. May of 2010.
 10 Q. What is the nature of the business of
 11 VRI?
 12 A. They sell medical alarms.
 13 Q. You used the term "medical alarms."
 14 Is that synonymous with P-E-R-S or
 15 PERS, which is the term we've used before?
 16 A. That is correct. They also sell other
 17 health-related items for monitoring of chronically
 18 ill individuals.
 19 Q. Okay.
 20 Where is VRI?
 21 A. Columbus, Ohio.
 22 Q. How did you come to be affiliated with
 23 them and what was the nature of your affiliation?
 24 A. I was doing some research on other

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1 companies that I could do a program like I was
 2 doing for Ken Gross.
 3 Q. What kind of program is that?
 4 A. A recurring revenue type program.
 5 Q. Earning introduction fees?
 6 A. Yes.
 7 Q. Did you have -- so you were looking
 8 around for companies that you could do that for and
 9 one of the companies that you found was VRI?
 10 A. That's correct.
 11 Q. And that was as of April '09?
 12 A. Yes.
 13 Q. Okay.
 14 How did you come to find VRI?
 15 A. Very interestingly enough, I looked on
 16 the MOMA website, which is an organization run by
 17 Ken Gross. It's Mobility Alarm Monitoring
 18 Association, which he is the president of. And
 19 they provided a very nice list of companies that I
 20 could contact to see if I could interest them in
 21 finding new customers for them.
 22 Q. Why was it that, in April of 2009, you
 23 were making this kind of an inquiry?
 24 A. Ken sent me an e-mail that told me if I

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1 didn't like his deal, that I should go find another
 2 one.
 3 Q. Is that the e-mail that was eluded to
 4 before in Mr. Gross's deposition?
 5 A. If you show it to me, I'll...
 6 Q. I'm going to show you Gross-8. I'll
 7 describe that as being a single-page exhibit, which
 8 has on it, appear to be, two e-mails at the top of
 9 the page; an e-mail, Monday, March 23, 2009 at
 10 1:05, and middle and on down from the page, an
 11 e-mail from WeAlarmYou@aol.com to your address,
 12 right? And that one is sent Monday, March 23rd,
 13 2009, at 9:17 a.m.
 14 Is the latter e-mail, the lower
 15 e-mail on that page, Gross-8, the e-mail you're
 16 talking about?
 17 A. Yes, sir.
 18 Q. After you received this e-mail, why was
 19 it that you felt it was in your interest to begin
 20 exploring other relationships?
 21 A. From the content of this e-mail.
 22 Q. Well, tell me what -- I can read what the
 23 e-mail says. What was it about that that said to
 24 you, "I should start looking for other

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<p style="text-align: right;">28</p> <p>1 relationships"?</p> <p>2 A. I believe my offer was extremely fair</p> <p>3 based on the same compensation package as two other</p> <p>4 industry professionals who worked for us, so I am</p> <p>5 not going to deviate from that policy.</p> <p>6 Q. For the record, let's note you just read</p> <p>7 the second paragraph of that e-mail, right?</p> <p>8 A. Yes.</p> <p>9 Q. So I'll ask the question for the third</p> <p>10 time. What was it about the language you just read</p> <p>11 or anything else about that e-mail that told you it</p> <p>12 was time to start looking for a different</p> <p>13 relationship?</p> <p>14 MR. PASS: Objection. He's</p> <p>15 answered. You may not like the answer, but he's</p> <p>16 answered.</p> <p>17 BY MR. RODGER:</p> <p>18 Q. All right.</p> <p>19 Well, why did you perceive that</p> <p>20 statement to be something that tells you it's time</p> <p>21 to start looking elsewhere?</p> <p>22 A. Because I read the next line, "There's no</p> <p>23 reason to meet further or discuss a dealer program</p> <p>24 at this time." It seemed pretty final to me.</p>	<p style="text-align: right;">30</p> <p>1 mischaracterizes the language of the e-mail, which</p> <p>2 speaks for itself.</p> <p>3 THE WITNESS: Yeah.</p> <p>4 BY MR. RODGER:</p> <p>5 Q. All right.</p> <p>6 Well, was that your understanding?</p> <p>7 A. At this point in time, yes.</p> <p>8 Q. Now, in the last sentence, as you say, it</p> <p>9 says, "There is no reason to meet further or</p> <p>10 discuss a dealer program at this time."</p> <p>11 Did you understand that to relate to</p> <p>12 the dealer relationship that you and Mr. Gross had</p> <p>13 previously discussed that you testified about in</p> <p>14 your first deposition session?</p> <p>15 A. If you're referring to dealer program as</p> <p>16 a strategic alliance program, then yes.</p> <p>17 Q. Well, in your last deposition, you</p> <p>18 testified about a -- about negotiations you had</p> <p>19 with Mr. Gross proposing to have you or some entity</p> <p>20 related to you, maybe Platinum Independence or</p> <p>21 whatever -- actually, I think you had come up with</p> <p>22 a different entity, FLOWCO or something like</p> <p>23 that -- to become a traditional dealer of Connect</p> <p>24 America. You don't remember that?</p>
<p style="text-align: right;">29</p> <p>1 Q. All right.</p> <p>2 Well, in between that sentence which</p> <p>3 you just read and the one that you read previously,</p> <p>4 there's another paragraph, right? It says, "I wish</p> <p>5 you good luck as you pursue a recurring revenue</p> <p>6 deal."</p> <p>7 A. That's correct.</p> <p>8 Q. And it says, "We will continue to pay you</p> <p>9 on this scale, as mentioned above, for sales</p> <p>10 generated by Electric Mobility and First Street,"</p> <p>11 right?</p> <p>12 A. Yes.</p> <p>13 Q. Did you understand that sentence as</p> <p>14 telling you that other than Electric Mobility and</p> <p>15 First Street, you had no business relationship with</p> <p>16 Connect America related to anybody else?</p> <p>17 A. At that point, that is correct.</p> <p>18 Q. Okay.</p> <p>19 And you did not have, and you were</p> <p>20 not going to in the future have, relationships with</p> <p>21 anybody -- with Connect America related to anybody</p> <p>22 other than Electric Mobility and First Street,</p> <p>23 right?</p> <p>24 MR. PASS: Same objection. It</p>	<p style="text-align: right;">31</p> <p>1 A. It was far from being a traditional</p> <p>2 dealer of Connect America. It was quite a</p> <p>3 customized position that Ken was crafting for me.</p> <p>4 Q. All right.</p> <p>5 Well, correct me if I'm wrong, my</p> <p>6 recollection of your testimony was that Ken</p> <p>7 presented you with the standard dealer agreement</p> <p>8 and then you customized that, added on a lot of</p> <p>9 other terms, which substantially broadened the</p> <p>10 nature of the relationship, presented that back to</p> <p>11 Mr. Gross, and it was at or around that time that</p> <p>12 Mr. Gross said, "We're not interested in discussing</p> <p>13 this anymore."</p> <p>14 A. To which question -- which answer -- I</p> <p>15 don't understand what part of that you need me to</p> <p>16 respond to.</p> <p>17 Q. Well, that's my recollection of your</p> <p>18 testimony. Is that an inaccurate -- the testimony</p> <p>19 you gave with respect to the back and forth</p> <p>20 dealings on the dealer agreement as originally</p> <p>21 proposed and then as substantially modified by you?</p> <p>22 A. We had lots of conversations between our</p> <p>23 initial agreement and the agreement that you're</p> <p>24 referring to.</p>

George Flowers

<p style="text-align: right;">40</p> <p>1 A. Yes.</p> <p>2 Q. Okay. All right. Let's go back to</p> <p>3 Rowan & Associates.</p> <p>4 You were with them basically</p> <p>5 calendar 2010, right?</p> <p>6 A. Yes, 10 months.</p> <p>7 Q. And then before that, you were with VRI,</p> <p>8 right?</p> <p>9 A. That's correct.</p> <p>10 Q. When did you become affiliated with VRI?</p> <p>11 You told me you started looking in -- well, do I</p> <p>12 understand correctly -- and this is how we got off</p> <p>13 on Gross-8 -- you said that you began to</p> <p>14 investigate alternatives following your receipt of</p> <p>15 this e-mail from Mr. Gross on March 23rd, 2009?</p> <p>16 A. That's correct.</p> <p>17 Q. And you've already testified how you</p> <p>18 became aware of VRI. You went to the website for</p> <p>19 the trade group and, lo and behold, they were</p> <p>20 listed there as a member of the association, right?</p> <p>21 A. Yes. I may have done other internet</p> <p>22 research, so -- I like to do internet research.</p> <p>23 Q. Okay. All right.</p> <p>24 Did there come a time when -- well,</p>	<p style="text-align: right;">42</p> <p>1 visiting nurses. So they really didn't go after</p> <p>2 the end user like Connect America did. So, yes,</p> <p>3 they sold medical alarms, but they really didn't</p> <p>4 sell to the end user.</p> <p>5 Q. Did you tell Mr. Gross in or around March</p> <p>6 or April of 2009, that you were exploring a</p> <p>7 relationship with VRI?</p> <p>8 A. No.</p> <p>9 Q. Why not?</p> <p>10 A. Because of his e-mail, basically.</p> <p>11 Q. Did you understand this e-mail as, you</p> <p>12 know, basically terminating the relationship you</p> <p>13 thought you had with Connect America?</p> <p>14 MR. PASS: Objection. We're</p> <p>15 rehashing -- it rehashes what we just went over</p> <p>16 10 minutes ago.</p> <p>17 BY MR. RODGER:</p> <p>18 Q. Well, I guess I'm trying to get some</p> <p>19 insight into why -- well, up until you got this</p> <p>20 e-mail, did you feel you had a business</p> <p>21 relationship with Connect America?</p> <p>22 A. Yes.</p> <p>23 Q. And the business relationship that you</p> <p>24 felt you had with Connect America was as stated in</p>
<p style="text-align: right;">41</p> <p>1 up until that point, had you had any dealings with</p> <p>2 VRI?</p> <p>3 A. None.</p> <p>4 Q. I don't know why I keep drawing a blank</p> <p>5 on that.</p> <p>6 A. None.</p> <p>7 Q. So what, if anything, did you do to</p> <p>8 initiate contact with VRI?</p> <p>9 A. I called the president and told him my</p> <p>10 experience with seniors and what I thought was my</p> <p>11 ability to get large accounts for him.</p> <p>12 Q. What was the nature of -- you've already</p> <p>13 told me generically what the nature of VRI was,</p> <p>14 that they sold, among other things, PERS and other</p> <p>15 monitoring devices, essentially.</p> <p>16 A. Right, right.</p> <p>17 Q. They were based in Ohio?</p> <p>18 A. Yes.</p> <p>19 Q. National company? Local company?</p> <p>20 A. National.</p> <p>21 Q. Were they competitors of Connect America?</p> <p>22 A. They sold medical alarms, but their</p> <p>23 business was basically from referrals from places</p> <p>24 like nursing homes and home care companies and</p>	<p style="text-align: right;">43</p> <p>1 your modified version of the written proposed</p> <p>2 dealer agreement that surfaced in your earlier</p> <p>3 deposition?</p> <p>4 A. For the most part, yes.</p> <p>5 Q. After you received this e-mail in March,</p> <p>6 what parts of that business relationship that you</p> <p>7 perceived did you feel were no longer in place with</p> <p>8 Connect America?</p> <p>9 A. Of what? What document?</p> <p>10 Q. Well, I'm -- the document we referred to</p> <p>11 in your last deposition that was a modified</p> <p>12 counter-proposed version of the dealer agreement.</p> <p>13 Do you remember we spent a fair amount of time</p> <p>14 going over that?</p> <p>15 A. Yes.</p> <p>16 Q. You know what I'm talking about, right?</p> <p>17 A. Yes.</p> <p>18 Q. Now, I don't want to get bogged down in</p> <p>19 going through that again, because I think we went</p> <p>20 through it already, but if I understand correctly,</p> <p>21 you are telling me that that document reflected</p> <p>22 what your understanding was of the terms and</p> <p>23 conditions of the relationship you had with Connect</p> <p>24 America?</p>

George Flowers

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1 from Mr. Gross, March 23rd, 2009, to be telling you
 2 this is what we're agreeable to and we're not going
 3 to agree to other things?
 4 A. At that point in time, yes.
 5 Q. Okay. All right.
 6 So you're in or about March/April of
 7 2009. You attempted to initiate a relationship
 8 with VRI?
 9 A. Yes.
 10 Q. Let's go back to that. We keep getting
 11 sidetracked from them.
 12 A. Yes.
 13 Q. Tell me the sequence of events related to
 14 VRI. You looked them up. You became aware of
 15 them. You contacted the president. Then what
 16 happened?
 17 A. I volunteered to fly myself out there to
 18 tell my story, and I did.
 19 Q. There was somewhere in Ohio?
 20 A. Yes.
 21 Q. Where in Ohio?
 22 A. Columbus, Ohio.
 23 Q. And who were you meeting with there? Who
 24 were you dealing with for VRI?

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1 A. Mr. Torrance and Mr. Schoonover, the
 2 president.
 3 Q. When did you meet with them? When did
 4 you fly yourself out there and meet with them?
 5 A. April of '09.
 6 Q. Do you recall early, late April or what
 7 the specific date was?
 8 A. I would say it was the first week in
 9 April.
 10 Q. Would you have a record of that
 11 specifically somewhere in a calendar or --
 12 A. Probably on a credit card statement. I
 13 charged the airline bill.
 14 Q. Were any documents generated in
 15 connection with that reaching out process that you
 16 described and the agreement to come out and meet
 17 with them? By "documents," I mean e-mails,
 18 letters, faxes, things of that nature.
 19 A. There was an independent rep agreement
 20 drawn up between this.
 21 Q. Well, did that happen before you went out
 22 there?
 23 A. No, after.
 24 Q. Is there documentation relating to the

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1 initial "I'm volunteering to fly myself out there
 2 to meet with you guys"?
 3 A. No, that was all phone calls.
 4 Q. No e-mails?
 5 A. I don't believe so.
 6 Q. In the course of looking for documents
 7 for production in this case, I take it you have not
 8 made a specific effort to find those documents, if
 9 they exist?
 10 A. That's correct.
 11 Q. Okay.
 12 You flew out there early April.
 13 What happened?
 14 A. They were very interested and drew up an
 15 agreement, sent it to me and I signed it.
 16 Q. And what were you pitching to them?
 17 A. Well, I knew that I had the potential of
 18 getting a relationship with Wal-Mart and that was
 19 something that Ken couldn't do. Ken couldn't deal
 20 with the top 10 retailers. And I told them that I
 21 had the opportunity to get in there and also a
 22 company called Apria.
 23 Q. Apria?
 24 A. Apria, A-P-R-I-A. And they're one of the

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1 largest home medical equipment dealers in the
 2 country.
 3 Q. How was it that you had an in at Wal-Mart
 4 and/or Apria?
 5 A. My -- the wife of my son's employer, her
 6 husband worked for Wal-Mart.com and was going to be
 7 as an introduction.
 8 Q. Did you have any history of dealings with
 9 Wal-Mart.com or any part of Wal-Mart, or you just
 10 had somebody who would introduce you?
 11 A. No, it was actually through Electric
 12 Mobility. We tried to sell them scooters and we
 13 signed up with their vendor program, so I was a
 14 little bit familiar about the difficulties of
 15 dealing with Wal-Mart.
 16 Q. All right.
 17 Well, you weren't involved in the
 18 sales operations of Electric Mobility, right?
 19 A. I did a lot of different things.
 20 Q. Tell me what you did with Wal-Mart while
 21 at Electric Mobility.
 22 A. We did research into some --
 23 Q. Not "we." What you did.
 24 A. I provided some input for the vendor

George Flowers

<p style="text-align: right;">136</p> <p>1 THE WITNESS: I'm sure of that. 2 BY MR. RODGER: 3 Q. All right. You're positive of that. 4 So that was like 14 months/15 months 5 after the first statement, right? 6 A. Yes. 7 Q. And you were laid off when? 8 A. July of 2012. 9 Q. When you were laid off, did you receive 10 any kind of severance? 11 A. Yes. 12 Q. What was your severance? 13 A. \$524. 14 Q. Total? 15 A. Yes. 16 Q. All right. 17 What have you been doing since then? 18 A. I have been looking for employment and -- 19 no, no. 20 Q. All right. 21 You have no job, you haven't started 22 any business, you don't have business affiliations 23 or relationships? 24 A. No.</p>	<p style="text-align: right;">138</p> <p>1 Tell me -- you claim that you were 2 the effective procuring cause for First Street's 3 relationship with Connect America. And I think 4 we've sort of gone through that in some detail in 5 your earlier deposition. 6 Do I understand correctly -- and if 7 I'm wrong, tell me -- that aside from the initial 8 meeting that you had with Mr. Modena in or about 9 October of 2008 at which you were present to pitch 10 a nonConnect America product or service and during 11 the course of which he mentioned they were thinking 12 about going to medical alarms, you then made a call 13 to Mr. Gross and Mr. Modena and Mr. Gross then 14 followed up. That's a summary, but I think an 15 accurate summary of how you described that meeting. 16 A. Yes. 17 Q. Other than that, did you do anything to 18 contribute to, foster, develop, advance the 19 business relationship between Connect America and 20 First Street? 21 A. No. 22 Q. Okay. 23 With respect to Electric Mobility, I 24 think we touched on that to some extent, and this</p>
<p style="text-align: right;">137</p> <p>1 Q. Nothing like that since July of 2012? 2 A. That's correct. 3 Q. All right. 4 During the time when you were 5 working with Anthony, did you have any other 6 relationships, business deals, employment 7 companies, anything like that going on? 8 A. Only the monies I was getting from 9 Connect America. 10 Q. But that had pretty much ended, right? 11 A. I think there was a little overlap, but 12 that's about it. 13 Q. Well, your money from Connect America 14 pretty much ended at the end of '09, didn't it? 15 A. You're correct. It's an overlap. 16 There's no other income. 17 Q. Have you made an effort to find 18 employment? 19 A. Yes. 20 Q. Why have you not been successful? 21 MR. PASS: Objection. 22 THE WITNESS: Tough market. 23 BY MR. RODGER: 24 Q. Okay. All right.</p>	<p style="text-align: right;">139</p> <p>1 is where I sort of wish we had more reliable access 2 to the earlier transcript. 3 I know you had gone into at some 4 length testimony describing your employment with 5 Electric Mobility and your relationship with the 6 company. 7 What role, if any, did you play in 8 securing a relationship between Connect America and 9 Electric Mobility from which you contend you were 10 entitled to be paid? 11 A. All right. This is when Electric 12 Mobility told them about the Connect America 13 medical alarm plan with its recurring revenue. 14 Being a family member of the Flowers family who 15 control Electric Mobility, I knew about the 16 relationship they had with Response Link, which is 17 another medical alarm supplier which I had a 18 contract with, and I knew what the terms of that 19 contract were. I knew Connect America could beat 20 that. I told that to Electric Mobility. Electric 21 Mobility and I called Ken and set up the meeting 22 that he attended with Linda. 23 Q. When you say Electric Mobility and you 24 called Ken --</p>

George Flowers

<p style="text-align: right;">140</p> <p>1 A. Michael Flowers is the -- my nephew. 2 Q. And when was that? 3 A. That was the week after we set up First 4 Street. Everybody was all excited about all these 5 big accounts I was bringing in. 6 Q. Did Electric Mobility prove to be a big 7 account? 8 A. Not over time, but that's not what we 9 thought at that moment in time. There was perfect 10 demographics. 11 Q. Did Electric Mobility prove to be a large 12 account for Connect America? 13 A. No, I think it was bad implementation by 14 Connect America. 15 Q. It was what? 16 A. Bad implementation of the programs. And 17 the same thing with Internet Alliance. 18 Q. Bad implementation of the programs by 19 Connect America? 20 A. Yes. 21 Q. What did Connect America do badly? 22 A. They didn't pursue two companies that 23 should have had a lot of potential. 24 Q. One being Electric Mobility?</p>	<p style="text-align: right;">142</p> <p>1 THE WITNESS: I'm sure it was in 2 January of that year. I don't know why -- 3 BY MR. RODGER: 4 Q. Well, these are all dated October 2010, 5 November 2010, December 2010. 6 A. It's got to be '09. It's less than a 7 month after First Street was signed, and Ken was 8 very excited about these two accounts. 9 Q. I stand corrected. There are also as 10 part of this composite exhibit on page Connect 11 America 98, composite Exhibit Gross-4 are entries 12 showing some sales September '09 and then October 13 '09, November '09 and then December '09 and then 14 continuing on through the rest of 2010 until the 15 end of December -- the last one is December 6, 16 2010. 17 MR. PASS: And let me remind counsel 18 that there isn't always a correlation between the 19 date the agreement would have been signed and when 20 sales would have first been generated. 21 BY MR. RODGER: 22 Q. Okay. 23 Well, first entry on this I note is 24 September '09 as far as cash being disbursed, but</p>
<p style="text-align: right;">141</p> <p>1 A. And one being Internet Alliance. 2 Q. When was the Electric Mobility 3 relationship formed? 4 A. I think it was January of 2010. 5 Q. 2010? 6 A. 2009; January 2009. 7 Q. Here's a version of the contract which is 8 incorporated into composite Exhibit Gross-4. 9 A. When was it signed? 10 Q. It was signed, but not dated. 11 A. My recollection, it was January. 12 Q. Of 2009 or 2010? 13 A. 2009. It's very close to First Street's 14 signing. It was probably within two months, 15 one month. 16 Q. It looks like, again, in this Gross 17 Exhibit 4, composite exhibit, there is a cash 18 disbursements ledger -- cash disbursements journal 19 reflecting payments made on account of -- 20 MR. PASS: I think that's Internet 21 Alliance. 22 MR. RODGER: It says "Electric 23 Mobility Corporation." 24 MR. PASS: Oh, I'm sorry.</p>	<p style="text-align: right;">143</p> <p>1 your testimony remains that the agreement was 2 entered into and the relationship formed in January 3 of '09? 4 A. Best of my recollection. 5 Q. How much money were you paid as a result 6 of that relationship between Connect America and 7 Electric Mobility? 8 A. That's interesting. 9 Q. It not that interesting. It's a 10 straightforward question. Tell me how much you 11 were paid. 12 A. Well, I thought the agreement for 13 Electric Mobility and First Street was \$10 per unit 14 or the lesser -- or \$15 and whatever we finally 15 settled with First Street and Electric Mobility. I 16 had known what the Response Link recurring revenue 17 was, and I was sure that I could get them for \$10 a 18 month recurring revenue, which is \$5 more than 19 what -- 20 Q. You said you could get them. What do you 21 mean? 22 A. I could get Electric Mobility to accept 23 double the monthly recurring revenue. 24 Q. So this was as you were negotiating on</p>

George Flowers

<p style="text-align: right;">188</p> <p>1 Q. Well, that was in a document that you 2 forwarded to Mr. Gross in February of 2009, right? 3 A. That's correct. 4 Q. And Mr. Gross said, "No, we're not going 5 to talk about that anymore"? 6 A. That's why we're here today. 7 Q. It was never signed, right? 8 MR. PASS: Objection. That's been 9 discussed probably half a dozen times today. 10 BY MR. RODGER: 11 Q. Is it your contention that any company 12 that you may have listed on that Addendum A 13 forwarded to Mr. Gross in February of 2009 would be 14 a company which, if Connect America later entered 15 into a relationship with them, you would be 16 entitled to be paid money? 17 A. Absolutely. 18 Q. Interesting. 19 Now, when was the agreement with 20 Amerimark actually entered into? 21 A. I don't know. 22 MR. PASS: How would he know? 23 MR. RODGER: Well -- 24 MR. PASS: I mean, other than by</p>	<p style="text-align: right;">190</p> <p>1 Q. Well, let's just make it clear. Again, 2 the language you just read is Addendum A to the 3 proposed dealer agreement that you forwarded to 4 Mr. Gross in February of 2009, right? 5 A. Yes. 6 Q. And which we all agree wasn't signed? 7 A. Agreed. 8 Q. And which on March 23rd, per Gross-8, 9 Mr. Gross referenced when he said, "There is no 10 reason to meet further or discuss a dealer program 11 at this time"? 12 MR. PASS: Objection. Bruce, you're 13 rehashing issues that have no relevance to the 14 issues before this suit. The issue is did George 15 Flowers introduce Connect America and 16 Dr. Leonard's. Whether the distributor agreement 17 was signed is irrelevant. It's evidence going back 18 to the time it was submitted to Mr. Gross that 19 George Flowers was making an introduction of 20 Dr. Leonard's to Connect America. 21 MR. RODGER: All right. 22 MR. PASS: That's for the jury to 23 decide. 24 BY MR. RODGER:</p>
<p style="text-align: right;">189</p> <p>1 looking at -- 2 BY MR. RODGER: 3 Q. Well, Gross-2, there's an agreement 4 between Connect America and Amerimark Holdings 5 dated September 12th, 2009. 6 Between August -- or I'm sorry, 7 between March, maybe April and September, what did 8 you do to bring this deal about? 9 A. What do you mean "between April" -- 10 MR. PASS: Objection. He didn't 11 bring the deal about. He introduced the parties. 12 The deal was brought about by the parties. Whether 13 the agreement was signed in September of 2009 or 14 September of 2012 is irrelevant for purposes of 15 what brings us here today. 16 BY MR. RODGER: 17 Q. Well, who did you introduce -- 18 A. This is the telling line: "Any potential 19 customer on this list contacted directly by the 20 company after dealer engages and/or introduces 21 customer to company will result in the payment of 22 \$10 per sale." 23 This doesn't say I had to get a 24 contract signed.</p>	<p style="text-align: right;">191</p> <p>1 Q. Who at Dr. Leonard's did you introduce to 2 who at Connect America? 3 A. No one. 4 Q. Who at Connect America did you introduce 5 to who at Dr. Leonard's? 6 A. Say that again. 7 Q. The converse of the question I just asked 8 you. Who at Dr. Leonard's did you introduce to 9 Connect America, or who at Connect America did you 10 introduce to Dr. Leonard's? 11 MR. PASS: Besides the individuals 12 he's already testified to -- about? 13 MR. RODGER: I haven't heard him 14 mention anybody at Connect America. I've heard him 15 mention people who he made overtures to, 16 unsuccessful, at Dr. Leonard's. 17 MR. PASS: And other than the 18 e-mails and materials that were sent to Ken Gross? 19 MR. RODGER: That he was soliciting, 20 that he was intending to solicit? 21 MR. PASS: Is the question did 22 George Flowers, either in person -- introduce Ken 23 Gross to Vilma or the head honcho face to face 24 where they could shake hands and say, "Ken Gross,</p>

Exhibit 8

Connect America
2193 West Chester Pike
Broomall, Pa. 19008
Attn: Ken Gross, President

1/13/2010

Dear Ken,

I received your letter and I do not agree that you can terminate my commission payments after one year. This clearly was never your intent. There was never any discussion of a time limit in any of our conversations or correspondence. I expect that you will continue to make the monthly payments on all my referral accounts. My referral accounts are First Street, Electric Mobility, and Internet Alliances.

In addition, I would like an accounting of the monthly sales volume (units) of all my accounts from the date of signing their contracts.

Clearly, \$10 per unit was the minimum amount you were to pay me under our agreement without time limit or restrictions. For First Street you were to pay me the difference between \$15 per month and what was finally settled with First Street. If there is no spread, then I would earn \$10 per unit sold. This is very well documented and since you have never provided me a copy of the contract with First Street, I do not know the final terms of the agreement. Therefore, I would appreciate receiving a copy of the executed contracts for First Street, Electric Mobility, and Internet Alliances.

I would appreciate a response by 1/31/2010.

Thanks,

George Flowers
517 Fordham Rd,
Woodbury Hts., NJ 08097

~~GEORGE FLOWERS~~ 000066

In a message dated 3/25/2010 4:54:48
P.M. Eastern Daylight Time,
gaf517@aol.com writes:
Dear Ken,

I have not received a response from
my previous certified letters
sent to Connect America and today,
3/25/2010, was the date I requested a
response from you concerning non-
payment on my second certified letter sent
and received on March 8th, 2010 to your
firm.

Connect America and First Street
alone should generate over
\$5,000,000 in revenue on units already
sold by my referral accounts. This
opportunity would have never occurred if it
were not for my efforts. Ken,
this is not going away. Please call me in
the next five days to discuss.

Sincerely,

George Flowers
609-980-1100

CONFIDENTIALITY NOTICE:

This message is intended only for the use
of the individual or entity to
which it is addressed, and may contain
information that is privileged,
confidential and exempt from disclosure
under applicable law. If the reader
of the message is not the intended
recipient, or the employee or agent
responsible for delivering the message to
the intended recipient, you are
hereby notified that any dissemination,
distribution or copying of this
communication is strictly prohibited. If you
have received this
communication in error, please notify us
immediately by telephone at (631)
414-4000 or (212) 485-5500 and destroy
this message.

**IRS CIRCULAR 230 DISCLOSURE
NOTICE:**

Unless specifically stated otherwise, the
written advice in this e-mail or
its attachments is not intended or written
to be used for the purpose of
avoiding penalties that may be imposed
under the Internal Revenue Code.

Connect America

3/23/2011

2193 West Chester Pike

Broomall, Pa. 19008

Ken and Claran,

This is my final effort to collect commissions due me from sales made by my referral accounts before pursuing legal remedies. Each of First Street and Internet Alliance has added great value to your company since I introduced them to you, along with my introduction efforts that assured you the Electric Mobility and Dr. Leonard's accounts (each of First Street, Internet Alliance, Electric Mobility and Dr. Leonard's is referred to individually in this email as a "Referral Source" and collectively as the "Referral Sources"). My demand is that you pay me the commissions to which you agreed for the duration of the relationship with each Referral Source, i.e., the greater of (i) \$10.00 per unit sold, or (ii) the portion of monthly recurring revenue in excess of \$15.00 per month that Connect America requires and is not otherwise paid to the Referral Source. .

Although I would prefer to resolve this amicably, if I do not hear from you by the close of business on Friday, April 1, 2011 with a copy of all contracts with the Referral Sources, along with all financial records reflecting the relevant information concerning units sold and monthly recurring revenue, I will be forced to involve counsel to resolve this matter.

I hope this will not be necessary.

Thank you.

George Flowers

609-980-1100

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267-679-7347 Mobile
hatza@millcrestlaw.com

April 1, 2011

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED

Kenneth S. Gross, President
Connect America
2193 West Chester Pike
Broomall, PA 19008

Re: George G. Flowers / Breach of Contract Matter

Dear Mr. Gross:

We are counsel to George G. Flowers. In that capacity, we have examined his relationship with Connect America, beginning in late 2008 and continuing thereafter. Based upon discussions between the parties that were confirmed in writings and by the parties' course of conduct, it is clear that Connect America had a contractual relationship with Mr. Flowers pursuant to which it agreed to pay him commissions for introductions and/or referrals to prospective clients with which Connect America entered into contracts for products and/or services. Specifically, Connect America agreed to pay Mr. Flowers a commission equal to the greater of (i) \$10.00 per unit sold, or (ii) the portion of monthly recurring revenue related to each such unit in excess of \$15.00 per month that is not otherwise paid to the referred client ("Commission Calculation Method"). Such commissions were to be paid for the duration of the relationship between Connect America (and any successor in interest to Connect America by virtue of a sale of Connect America's business or by operation of law) and the referred client.

In reliance on this agreement, Mr. Flowers introduced and/or referred to Connect America each of the following prospective customers: First Street, Electric Mobility, Internet Alliance and Dr. Leonard's (each, a "Referral" and collectively, the "Referrals"). As a direct result of the introduction and/or referral provided to you by Mr. Flowers, each of the Referrals has entered into a business relationship with Connect America and the amount of business generated by the Referrals has been substantial. Moreover, the relationships with the Referrals significantly enhanced the value of Connect America's business and the purchase price it was able to achieve in its recent sale. We understand from Mr. Flowers that the relationships with those Referrals are ongoing.

Consistent with the terms of the contractual arrangement, Connect America made commission payments to Mr. Flowers in 2009 and early 2010 with regard to its contractual relationship with First Street. However, for reasons which lack legal support, no such payments were made for any of the other Referrals. We understand from Mr. Flowers that the First Street payments were calculated in accordance with the Commission Calculation Method referenced above, but that Connect America was unwilling to provide him with evidence of its contractual arrangements with First Street or any of the other Referrals to enable him to verify if the amounts paid to him with respect to First Street (and the failure to pay him anything with respect to the other Referrals) were correct. We further understand that you refused to provide such information to Mr. Flowers following repeated requests for it. In November of 2009, you unilaterally terminated your contract with Mr. Flowers prior to the completion of your continuing obligations under the contract. Such unilateral termination constituted a breach of your contractual obligations to Mr. Flowers entitling him to any and all remedies available as a consequence of such breach.

Our preference is to resolve this matter amicably with you. To that end, we will need you to provide us with copies of all contractual arrangements with the Referrals, as well as all financial records (including, without limitation, all financial records from and after the date Connect America was sold) relevant to determining (i) the number of units sold pursuant to Connect America's contracts with each Referral, (ii) the number of units returned in the first thirty (30) days from customers of the Referrals, and (iii) any and all other records necessary to verify the commissions due and payable to Mr. Flowers by virtue of your contract.

If we do not hear back favorably from you by April 15, 2011 (including with such favorable response the documentation requested above), we will consider pursuing any and all remedies available to us at law or in equity, including without limitation claims for an accounting, breach of contract and unjust enrichment. These claims will likely be asserted against you, individually, Connect America, and the current owner of the Connect America business by virtue of its being a successor in interest.

Nothing in this letter shall constitute a waiver of any right of Mr. Flowers in connection with the subject matter of this letter or an agreement to forbear with respect to any available rights or remedies he may have against Connect America or any other party. Any and all remedies and rights are fully reserved.

Very truly yours,

Kimón C. Hatza

cc: Mr. George G. Flowers
Mr. Kevin Prokop

EXHIBIT J

**FREE
GIFT
valued at \$35**

"My Medical Alarm saved my life 3 times! I'm sure glad I didn't wait."

The Designed For Seniors® Medical Alarm provides emergency notification that is simple, reliable and affordable. It's simply the best value on the market today. Don't wait until it's too late... read a real life saving story below!

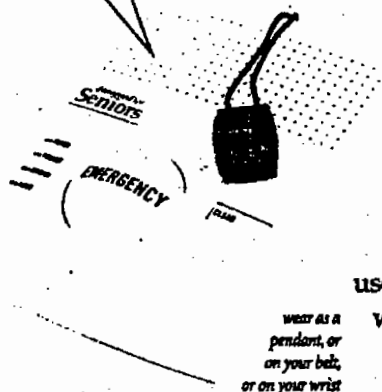
"I'm 79 years old and live alone in a small town. I own and wear the firstSTREET Medical Alarm

button. The Medical Alarm has saved my life not once but three times! The first incident was on May 15th, when I had a stroke. The second incident was on Oct 15th, I found myself on the floor, with a knot on my head and a hole in the wall. The

third incident was on Oct 23rd, I felt strange sitting in the chair. I could not move my right arm or leg. I learned that the hole in my heart (from birth), was forcing the high blood pressure through the hole and right up to my brain, this was the reasons for all three strokes. I can walk and talk with the exception of a weak right arm. If it was not for the Medical Alarm, who knows what the outcome could've been."

W. Blackledge

"Good morning. This is Nancy with Medical Alarm. Do you need assistance Mrs. Smith?"



Help when you need it most:

Medical Emergency – Accident – Fire – Burglary

Why wait, it's simple to install and use. Unlike other products that require professional installation, this product is "plug and play." The unit is designed for easy use in an emergency, with large, easy-to-identify buttons.

Plus it's reliable. From the waterproof pendant to the sophisticated base unit to the state-of-the-art 24/7 call center, the entire system is designed to give you the peace of mind in knowing you are never alone in an emergency. You get two-way communication with a live person in our Emergency Response Center, and there's a battery backup in case of a power failure.



Order now and receive
free shipping and
a free gift – valued at \$35.
It's yours to keep.

Simple, Reliable, and Affordable

	Designed For Seniors® Medical Alarm	Competition
Equipment Cost	✓ FREE	\$30-\$300
Activation	✓ FREE	\$10-\$30
Contract	✓ NONE	1-2 Years
UL Approved Call Center	✓ YES	Some
Warranty	✓ LIFETIME	Varies
Free Shipping	✓ YES	?

Best of all, it's affordable. There is no equipment charge, no activation fee, and no long term contract. Call now and within a week you or someone you love will have the peace of mind and independence that comes with this remarkable system. ☑

Designed For Seniors® Medical Alarm

Please mention promotional code
44380.

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AARP BULLETIN
April 2012

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**FREE
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Pendant at \$35**

"My Medical Alarm saved my life 3 times! I'm sure glad I didn't wait."

The Designed For Seniors® Medical Alarm provides emergency notification that is simple, reliable and affordable. It's simply the best value on the market today. Don't wait until its too late... read a real life saving story below!

Help when you need it most:

Medical Emergency - Accident - Fire - Burglary

"I'm 79 years old and live alone in a small town. I own and wear the firstSTREET Medical Alarm button. The Medical Alarm has saved my life not once but three times! The first incident was on May 15th, when I had a stroke. The second incident was on Oct 15th, I found myself on the floor, with a knot on my head and a hole in the wall. The third incident was on Oct 23rd, I felt strange sitting in the chair. I could not move my right arm or leg. I learned that the hole in my heart (from birth), was forcing the high blood pressure through the hole and right up to my brain, this was the reasons for all three strokes. I can walk and talk with the exception of a weak right arm. If it was not for the Medical Alarm, who knows what the outcome could've been."

W. Blackledge

"Good morning. This is Nancy with Medical Alarm. Do you need assistance Mrs. Smith?"

Wear as a
pendant, or
on your belt,
or on your wrist

Why wait, It's simple to install and use. Unlike other products that require professional installation, this product is "plug and play." The unit is designed for easy use in an emergency, with large, easy-to-identify buttons.

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Simple, Reliable, and Affordable

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Equipment Cost	/ FREE	\$30-\$300
Activation	/ FREE	\$10-\$30
Contract	/ NONE	1-2 Years
UL Approved Call Center	/ YES	Some
Warranty	/ LIFETIME	Varies
Free Shipping	/ YES	?

Best of all, It's affordable.

There is no equipment charge, no activation fee, and no long term contract. Call now and within a week you or

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"And now for today's Top Ten Commandments..."



"If you can't feel sorry for yourself, you'll never be able to feel sorry for somebody else."

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18 • April 15, 2012

PARADE MAGAZINE
4/15/12

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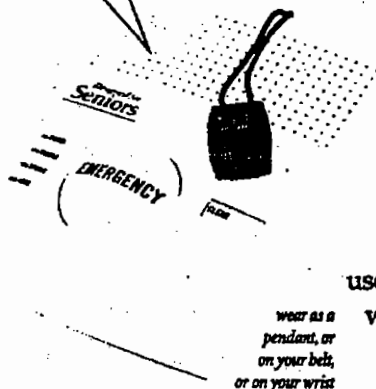
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Medical Emergency – Accident – Fire – Burglary

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AARP BULLETIN
March 2012

Simple, Reliable, and Affordable

	Designed For Seniors® Medical Alarm	Competition
Equipment Cost	✓ FREE	\$30-\$300
Activation	✓ FREE	\$10-\$30
Contract	✓ NONE	1-2 Years
UL Approved Call Center	✓ YES	Some
Warranty	✓ LIFETIME	Varies
Free Shipping	✓ YES	?

Best of all, it's affordable.

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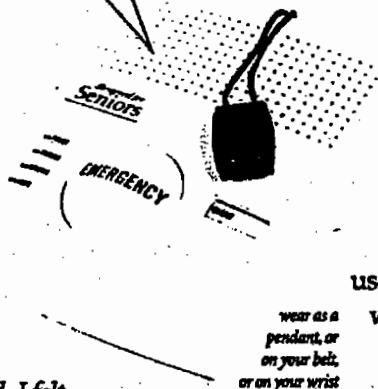
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Help when you need it *most*.

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W. Blackledge

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Contract	✓ NONE	1-2 Years
UL Approved Call Center	✓ YES	Some
Senior Approved™	✓ YES	No
Warranty	✓ LIFETIME	Varies
Free Shipping	✓ YES	?

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AARP BULLETIN
January/February 2012

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Equipment Cost	✓ FREE	\$30-\$300
Activation	✓ FREE	\$10-\$30
Contract	✓ NONE	1-2 Years
UL Approved Call Center	✓ YES	Some
Senior Approved™	✓ YES	No
Warranty	✓ LIFETIME	Varies
Free Shipping	✓ YES	?

Best of all, it's affordable.

There is no equipment charge, no activation fee, and no long term contract. Call now and within a week you or someone you love will have the peace of mind and independence that comes with this remarkable system. ■

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AARP BULLETIN
December 2011

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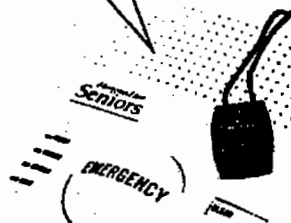
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Plus it's reliable. From the waterproof pendant to the sophisticated base unit to the state-of-the-art 24/7 call center, the entire system is designed to give you the peace of mind in knowing you are never alone in an emergency. You get two-way communication with a live person in our Emergency Response Center, and there's a battery backup in case of a power failure.

W. Blackledge



Order now and receive free shipping and a free gift – valued at \$35. It's yours to keep.

Simple, Reliable, and Affordable

	Designed For Seniors® Medical Alarm	Competition
Equipment Cost	/ FREE	\$30-\$300
Activation	/ FREE	\$10-\$30
Contract	/ NONE	1-2 Years
UL Approved Call Center	/ YES	Some
Senior Approved™	/ YES	No
Warranty	/ LIFETIME	Varies
Free Shipping	/ YES	?

Best of all, it's affordable.

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Designed For Seniors® Medical Alarm

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AARP BULLETIN
November 2011

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"My Medical Alarm saved my life 3 times! I'm sure glad I didn't wait."

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Don't wait until it's too late... read a real life saving story below!

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W. Blackledge

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	Designed For Seniors® Medical Alarm	Competition
Equipment Cost	✓ FREE	\$30-\$300
Activation	✓ FREE	\$10-\$30
Contract	✓ NONE	1-2 Years
UL Approved Call Center	✓ YES	Some
Senior Approved™	✓ YES	No
Warranty	✓ LIFETIME	Varies
Free Shipping	✓ YES	?

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Numbrix

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7	21	23	25	31
9				33
53				39
59				79
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20 • November 27, 2011

PARADE MAGAZINE
11/27/11

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"New medical alarm can save you money ...and save your life!"

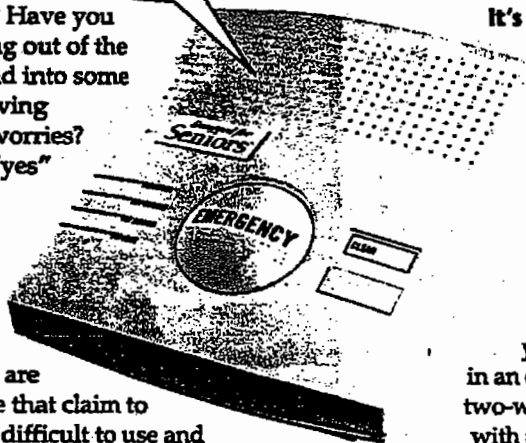
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It's simply the best value on the market today.**

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Are you and
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about what
would happen
if you were unable
to get to a phone? Have you
considered moving out of the
home you love and into some
kind of assisted living
because of these worries?
If you answered "yes"
to any of these
questions, you
are not alone.

Millions of
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The product is the *Designed For Seniors®*
Medical Alarm, read on and we'll
explain why every senior in America
should have one.

"Good morning. This is
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Do you need assistance
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First of all, it's simple to install and
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The unit is designed for
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**What will you do in case of an
emergency?** If you have *Designed
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is push a button, and you'll immedi-
ately get the help you need, quickly
and reliably. That's because it has
been "designed for seniors" by the
industry leader in providing helpful
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Simple, Reliable, and Affordable

	Designed For Seniors® Medical Alarm Competition	
Equipment Cost	✓ FREE	\$30-\$300
Activation	✓ FREE	\$10-\$30
Contract	✓ NONE	1-2 Years
UL Approved Call Center	✓ YES	Some
Senior Approved™	✓ YES	No
Warranty	✓ LIFETIME	Varies
Free Shipping	✓ YES	?



- Free shipping
- Free activation
- No equipment cost

love will have the peace of mind and
independence that comes with this
remarkable system. ☐

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It's yours to keep.

Designed For Seniors® Medical Alarm

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AARP BULLETIN
October 2011

**FREE
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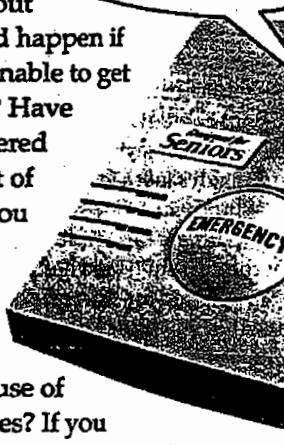
"This medical alarm saved my mom's life! ...and it's affordable"

The Designed For Seniors® Medical Alarm provides emergency notification that is simple, reliable and affordable. It's simply the best value on the market today.

Are you concerned about being helpless in an emergency?

Are you and your loved ones anxious about what would happen if you were unable to get to a phone? Have you considered moving out of the home you love and into some kind of assisted living because of these worries? If you answered "yes" to any of these questions, you are not alone. Millions of seniors are concerned about their safety. There are products out there that claim to help, but they are difficult to use and even more difficult to afford. Why mess with complicated installations and long term contracts when there's a product that's simple, reliable and affordable? The product is the *Designed For Seniors® Medical Alarm*. Read on and we'll explain why every senior in America should have one.

"Good morning. This is Nancy with Medical Alarm. Do you need assistance Mrs. Smith?"



What will you do in case of an emergency?

If you have a *Designed For Seniors® Medical Alarm*, all you do is push a button, and you'll immediately get the help you

need, quickly and reliably. That's because it has been "designed for seniors" by the industry leader in providing helpful and affordable solutions for millions of aging Americans.

First of all, it's simple to install and use.

Unlike other products that require professional installation, this product is "plug and play." The unit is designed for easy use in an emergency, with large, easy-to-identify buttons.

It's reliable. From the waterproof pendant to the sophisticated base unit, to the state-of-the-art 24/7 call center, the entire system is designed to give you the peace of mind in knowing you are never alone in an emergency. You get two-way communication with a live person in our Emergency Response Center,



Best of all, it's affordable. You get the complete system for only pennies per day. No equipment charge, no activation fee, no long term contract. Call now and within a week you or someone you love will have the peace of mind and independence that comes with this remarkable system. ■

Be one of the first 100 to order and get **FREE Shipping** and a **FREE Gift**—valued at \$35. It's yours to keep.

Simple, Reliable, and Affordable

	Competition	Designed For Seniors® Medical Alarm
Equipment Cost	\$30-\$300	✓ FREE
Activation	\$10-\$30	✓ FREE
Contract	1-2 Years	✓ NONE
UL Approved Call Center	Some	✓ YES
Senior Approved™	No	✓ YES
Warranty	Varies	✓ LIFETIME
Free Shipping	?	✓ YES

and there's a battery backup in case of a power failure.

Designed For Seniors® Medical Alarm

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AARP MAGAZINE
September/October 2011

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"New medical alarm can save you money ...and save your life!"

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Simple, Reliable, and Affordable

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Equipment Cost	\$30-\$300	✓ FREE
Activation	\$10-\$30	✓ FREE
Contract	1-2 Years	✓ NONE
UL Approved Call Center	Some	✓ YES
Senior Approved™	No	✓ YES
Warranty	Varies	✓ LIFETIME
Free Shipping	?	✓ YES

Best of all, It's affordable. You get
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day. No equipment charge, no activation
fee, no long term contract. Call now
and within a week you or someone



- Free shipping
- Free activation
- No equipment cost

you love will have the peace of mind
and independence that comes with this
remarkable system. ■

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AARP BULLETIN
July/August 2011

**FREE
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"New Medical alarm can save you money ...and save your life!"

**The Designed For Seniors® Medical Alarm provides
emergency notification that is simple, reliable and affordable.
It's simply the best value on the market today.**

Are you concerned about being helpless
in an emergency?

Are you and
your loved
ones anxious
about what
would happen if
you were unable to
get to a phone? Have you
considered moving out of the
home you love and into some
kind of assisted living
because of these worries?
If you answered "yes"

to any of these
questions, you
are not alone.
Millions of
seniors are
concerned about
their safety. There are
products out there that claim to
help, but they are difficult to use and even
more difficult to afford. Why mess with
complicated installations and long term
contracts when there's a product that's
simple, reliable and affordable?
The product is the *Designed For Seniors®* Medical Alarm, read on
and we'll explain why every sen-
ior in America should have one.

**What will you do in case of
an emergency?** If you have
Designed For Seniors® Medical
Alarm, all you do is push a
button, and you'll immediately
get the help you need, quickly and
reliably. That's because it has been
"designed for seniors" by the industry
leader in providing helpful and affordable
solutions for millions of aging Americans.

"Good morning. This is
Nancy with Medical Alarm.
Do you need assistance
Mrs. Smith?"

First of all, it's simple to install and
use. Unlike other products that
require professional installation,
this product is "plug and play."
The unit is designed for easy use
in an emergency, with large,
easy-to-identify buttons.

It's reliable.

From the
waterproof
pendant
to the
sophisticated
base unit to the
state-of-the-art
24/7 call center,
the entire system is
designed to give you
the peace of mind in
knowing you are never

alone in an emergency. You
get two-way communication
with a live person in our Emergency
Response Center, and there's a battery
backup in case of a power failure.

Simple, Reliable, and Affordable

	Competition	<i>Designed For Seniors®</i> Medical Alarm
Equipment Cost	\$30-\$300	✓ FREE
Activation	\$10-\$30	✓ FREE
Contract	1-2 Years	✓ NONE
UL Approved Call Center	Some	✓ YES
Senior Approved™	No	✓ YES
Warranty	Varies	✓ LIFETIME
Free Shipping	?	✓ YES

Best of all, it's affordable. You get
the complete system for only pennies per
day. No equipment charge, no activation
fee, no long term contract. Call now and



- Free shipping
- Free activation
- No equipment cost

within a week you or someone you
love will have the peace of mind and
independence that comes with this
remarkable system. ■

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AARP BULLETIN
June 2011

"New medical alarm can save you money ...and save your life!"

**The Designed For Seniors® Medical Alarm provides
emergency notification that is simple, reliable and affordable.
It's simply the best value on the market today.**

Are you concerned about being helpless in an emergency? Are you and your loved ones anxious about what would happen if you were unable to get to a phone? Have you considered moving out of the home you love and into some kind of assisted living because of these worries? If you answered "yes" to any of these questions, you are not alone. Millions of seniors are concerned about their safety. There are products out there that claim to help, but they are difficult to use and even more difficult to afford. Why mess with complicated installations and long term contracts when there's a product that's simple, reliable and affordable? The product is the *Designed For Seniors®* Medical Alarm, read on and we'll explain why every senior in America should have one. What will you do in case of an emergency? If you have *Designed For Seniors®* Medical Alarm, all you do is push a button, and you'll immediately get the help you need, quickly and reliably. That's because it has been "designed for seniors" by the industry leader in providing helpful and affordable solutions for millions of aging Americans.

"Good morning. This is Nancy with Medical Alarm. Do you need assistance Mrs. Smith?"

First of all, it's simple to install and use. Unlike other products that require professional installation, this product is "plug and play." The unit is designed for easy use in an emergency, with large, easy-to-identify buttons.

It's reliable. From the waterproof pendant to the sophisticated base unit to the state-of-the-art 24/7 call center, the entire system is designed to give you the peace of mind in knowing you are never alone in an emergency. You get two-way

Simple, Reliable, and Affordable

	Competition	Designed For Seniors® Medical Alarm
Equipment Cost	\$30-\$300	✓ FREE
Activation	\$10-\$30	✓ FREE
Contract	1-2 Years	✓ NONE
UL Approved Call Center	Some	✓ YES
Senior Approved™	No	✓ YES
Warranty	Varies	✓ LIFETIME
Free Shipping	?	✓ YES

communication with a live person in our Emergency Response Center, and there's a battery backup in case of a power failure.



- Free shipping
- Free activation
- No equipment cost

Best of all, it's affordable. You get the complete system for only pennies per day. No equipment charge, no activation fee, no long term contract. Call now and within a week you or someone you love will have the peace of mind and independence that comes with this remarkable system. ☐

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Designed For Seniors® Medical Alarm

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May 2011

PARADE MAGAZINE
5/15/11

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ALTH HERO

r. Anne Camp

venting diabetes by
wing—not just telling—
patients how to eat right

RY DAY, endocrinologist Anne Camp sees people in danger of developing diabetes, the typical prevention advice isn't work in her low-income Connecticut neighborhood. "The residents can't afford to go to the gym, and many buy their food in bodegas that have few fruits and vegetables," Camp says. So she worked with staff to educate patients more than just by starting a free diabetes prevention program at the Fair Haven Community Health Center. While attending bilingual nutrition and exercise classes, participants can grow their own produce. A neighborhood bakery donated space for a garden, and excess heat from the ovens is piped into a greenhouse. And an area cycling club is refurbishing donated bikes for participants. Since the program began in 2007, 200 families have enrolled, and a pilot study found that the

HERE New Haven, Conn. NANCY SMITH'S low-income families reduce their risk for diabetes

average participant lost 6.5 pounds, reducing his or her diabetes risk by a third. —Colleen Shaddox

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BEHAVIORS
STICK, IT PAYS
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THE WHOLE
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Are you concerned about being helpless in an emergency?

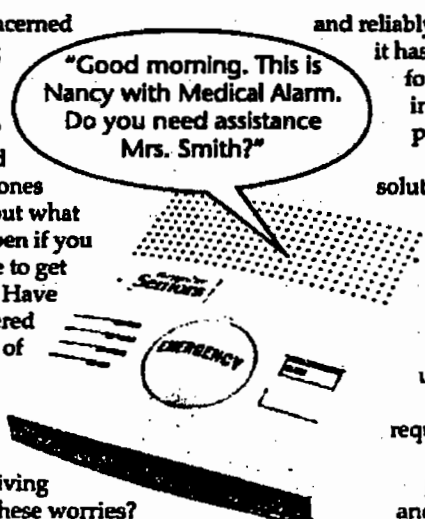
Are you and your loved ones anxious about what would happen if you were unable to get to a phone? Have you considered moving out of the home you love and into some kind of assisted living because of these worries?

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and reliably. That's because it has been "designed for seniors" by the industry leader in providing helpful and affordable solutions for millions of aging Americans.

First of all, it's simple to install and use. Unlike other products that require professional installation, this product is "plug and play." The unit is designed for easy use in an emergency, with large, easy-to-identify buttons.

It's reliable. From the waterproof pendant to the sophisticated base unit, to the state-of-the-art 24/7 call center, the entire system is designed to give you the peace of mind in knowing you are never alone in an emergency. You get two-way communication with a live person in our



- Free shipping
- Free activation
- No Equipment cost

Best of all, it's affordable. You get the complete system for only pennies per day. No equipment charge, no activation fee, no long term contract. Call now and within a week you or someone you love will have the peace of mind and independence that comes with this remarkable system.

Be one of the first 100 to order and get **FREE Shipping** and a **FREE Gift**—valued at \$35. It's yours to keep.

Simple, Reliable, and Affordable

	Competition	Designed For Seniors® Medical Alarm
Equipment Cost	\$30-\$300	/ FREE
Activation	\$10-\$30	/ FREE
Contract	1-2 Years	/ NONE
UL Approved Call Center	Some	/ YES
Senior Approved™	No	/ YES
Warranty	Varies	/ LIFETIME
Free Shipping	?	/ YES

Alarm, all you do is push a button, and you'll immediately get the help you need, quickly and reliably. That's because it has been "designed for seniors" by the industry leader in providing helpful and affordable solutions for millions of aging Americans.

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Emergency Response Center, and there's a backup in case of a power failure.

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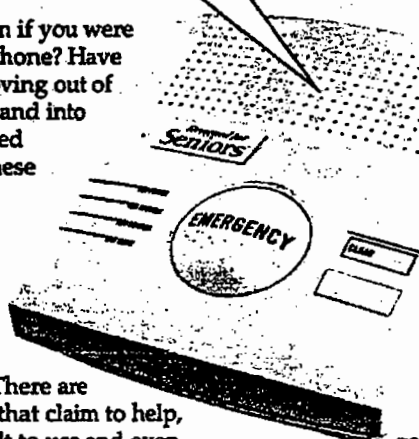
Millions of seniors

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First of all, it's simple to install and use. Unlike other products that require

"Good morning. This is Nancy with Medical Alarm. Do you need assistance Mrs. Smith?"



professional installation, this product is "plug and play." The unit is designed for easy use in an emergency, with large, easy-to-

identify buttons.

It's reliable.

From the waterproof pendant

to the

sophisticated

base unit to the

state-of-the-art

24/7 call center,

the entire system

is designed to give

you the peace of

mind in knowing

you are never alone

in an emergency. You

get two-way communication

with a live person in our Emergency

Response Center, and there's a battery

backup in case of a power failure.

Simple, reliable, and affordable

	Competition	Designed For Seniors® Medical Alarm
Equipment Cost	\$30-\$300	✓ FREE
Activation	\$10-\$30	✓ FREE
Contract	1-2 Years	✓ NONE
UL Approved Call Center	Some	✓ YES
Senior Approved™	No	✓ YES
Warranty	Varies	✓ LIFETIME
Free Shipping	?	✓ YES

Best of all, it's affordable. You get the complete system for only pennies per day. No equipment charge, no activation fee, no long term contract. Call now and within a



• Free shipping

• Free activation

• No equipment cost

week you or someone you love will have the peace of mind and independence that comes with this remarkable system. ■

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"Good morning. This is Nancy with Medical Alarm. Do you need assistance Mrs. Smith?"

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It's reliable. From the waterproof pendant to the sophisticated base unit to the state-of-the-art 24/7 call center, the entire system is designed to give you the peace of mind in knowing you are never alone in an emergency. You



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- No equipment cost

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Simple, Reliable, and Affordable

	Competition	Designed For Seniors® Medical Alarm
Equipment Cost	\$30-\$300	✓ FREE
Activation	\$10-\$30	✓ FREE
Contract	1-2 Years	✓ NONE
UL Approved Call Center	Some	✓ YES
Senior Approved™	No	✓ YES
Warranty	Varies	✓ LIFETIME
Free Shipping	?	✓ YES

get two-way communication with a live person in our Emergency Response Center, and there's a battery backup in case of a power failure.

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It's simply the best value on the market today.**

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"Good morning. This is Nancy with Medical Alarm. Do you need assistance Mrs. Smith?"

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First of all, it's simple to install and use. Unlike other products that require professional installation, this product is "plug and play." The unit is designed for easy

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It's reliable. From the waterproof pendant to the sophisticated base unit, to the state-of-the-art 24/7 call center, the entire system is designed to give you the peace of mind in knowing you are never alone in an emergency. You get two-way communication with a live person in our

Simple, reliable, and affordable

	Competition	<i>Designed For Seniors® Medical Alarm</i>
Equipment Cost	\$30-\$300	/ FREE
Activation	\$10-\$30	/ FREE
Contract	1-2 Years	/ NONE
UL Approved Call Center	Some	/ YES
Senior Approved™	No	/ YES
Warranty	Varies	/ LIFETIME
Free Shipping	?	/ YES

Alarm, all you do is push a button, and you'll immediately get the help you need, quickly

Emergency Response Center, and there's a battery backup in case of a power failure.



- Free shipping
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- No Equipment cost

Best of all, it's affordable. You get the complete system for only pennies per day. No equipment charge, no activation fee, no long term contract. Call now and within a week you or someone you love will have the peace of mind and independence that comes with this remarkable system. ☐

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Ask Marilyn® continue

WORDS WE NEED

haggly (adjective)
in the mood to bargain

maxi-me (noun)
the individual described on
one's résumé

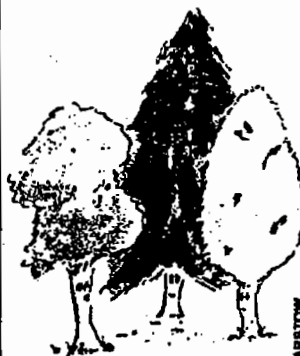
assify (verb)
to make someone look
ridiculous

Answer: Three steps per second
So the trip up took 7.5 seconds; the
trip down took 15 seconds.

If x stands for the man's speed
then $30 + (x + 1)$ is the time in
seconds for the trip up. (The escalator
added to his speed.) And $30 +$
 $(x - 1)$ is the time for the trip down
(The escalator slowed his progress.)

We know that the trip down
took twice as long as the trip up, so
two times $30 + (x + 1)$ equals $30 +$
 $(x - 1)$. Now you can solve for x .

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"I had my colors done,
and I'm a fall."

DONNA BARSTOW

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"My Medical Alarm saved my life 3 times! I'm sure glad I didn't wait."

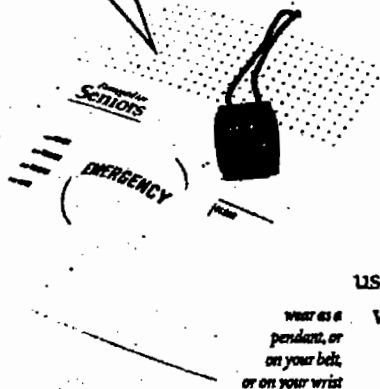
The Designed For Seniors® Medical Alarm provides emergency notification that is simple, reliable and affordable. It's simply the best value on the market today. Don't wait until it's too late... read a real life saving story below!

"I'm 79 years old and live alone in a small town. I own and wear the firstSTREET Medical Alarm

button. The Medical Alarm has saved my life not once but three times! The first incident was on May 15th, when I had a stroke. The second incident was on Oct 15th, I found myself on the floor, with a knot on my head and a hole in the wall. The third incident was on Oct 23rd, I felt strange sitting in the chair. I could not move my right arm or leg. I learned that the hole in my heart (from birth), was forcing the high blood pressure through the hole and right up to my brain, this was the reasons for all three strokes. I can walk and talk with the exception of a weak right arm. If it was not for the Medical Alarm, who knows what the outcome could've been."

W. Blackledge

"Good morning. This is Nancy with Medical Alarm. Do you need assistance Mrs. Smith?"



Help when you need it *most*.

Medical Emergency - Accident - Fire - Burgla

Why wait, it's simple to install and use. Unlike other products that require professional installation, this product is "plug and play." The unit is designed for easy use in an emergency, with large, easy-to-identify buttons.

Plus it's reliable. From the waterproof pendant to the sophisticated base unit to the state-of-the-art 24/7 call center, the entire system is designed to give you the peace of mind in knowing you are never alone in an emergency. You get two-way communication with a live person in our Emergency Response Center, and there's a battery backup in case of a power failure.



Order now and receive
free shipping and
a free gift - valued at \$35.
It's yours to keep.

Simple, Reliable, and Affordable

	Designed For Seniors® Medical Alarm	Competition
Equipment Cost	/ FREE	\$30-\$300
Activation	/ FREE	\$10-\$30
Contract	/ NONE	1-2 Years
UL Approved Call Center	/ YES	Some
Warranty	/ LIFETIME	Varies
Free Shipping	/ YES	?

Best of all, it's affordable.

There is no equipment charge, no activation fee, and no long term contract. Call now and within a week you or someone you love will have the peace of mind and independence that comes with this remarkable system.

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AARP BULLETIN
April 2012

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"My Medical Alarm saved my life 3 times! I'm sure glad I didn't wait."

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Help when you need it most:

Medical Emergency - Accident - Fire - Burglary

Why wait, it's simple to install and use. Unlike other products that require professional installation, this product is "plug and play." The unit is designed for easy use in an emergency, with large, easy-to-identify buttons.

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I'm 79 years old and live alone in a small town. I own and wear the first STREET Medical Alarm unit. The Medical Alarm has saved my life not once but three times! The first incident was on May 5th, when I had a stroke. The second incident was on Oct 15th, I found myself on the floor, with a clot on my head and a hole in the wall. The third incident was on Oct 23rd, I felt strange sitting in the chair. I could not move my right arm or leg. I learned that the hole in my heart (from birth), was forcing the high blood pressure through the hole and right up to my brain, this was the reasons for all three strokes. I can walk and talk with the exception of a weak right arm. If it was not for the Medical Alarm, who knows what the outcome could've been."

W. Blackledge

"Good morning. This is Nancy with Medical Alarm. Do you need assistance Mrs. Smith?"

wear as a pendant, or on your belt, or on your wrist

someone you love will have the peace of mind and independence that comes with this remarkable system.

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Cartoon Parade



"And now for today's Top Ten Commandments..."



"If you can't feel sorry for yourself, you'll never be able to feel sorry for somebody else."

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10 • April 15, 2012

PARADE MAGAZINE
4/15/12

Simple, Reliable, and Affordable

	Designed For Seniors® Medical Alarm	Competition
Equipment Cost	/ FREE	\$30-\$300
Activation	/ FREE	\$10-\$30
Contract	/ NONE	1-2 Years
UL Approved Call Center	/ YES	Some
Warranty	/ LIFETIME	Varies
Free Shipping	/ YES	?

Best of all, it's affordable. There is no equipment charge, no activation fee, and no long term contract. Call now and within a week you or

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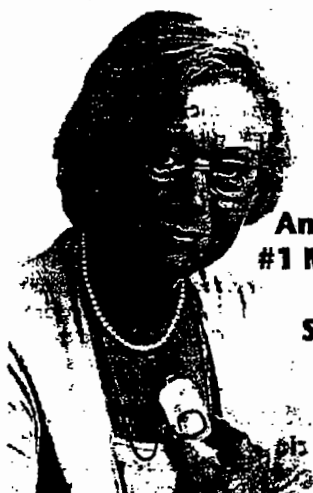
Emergency Alert Technology

Philips Lifeline with AutoAlert... the only Medical Alarm pendant that automatically calls for help if it detects a fall.

"I was so amazed to see the ambulance and wondered, How did they know I fell?"

Arlene A.

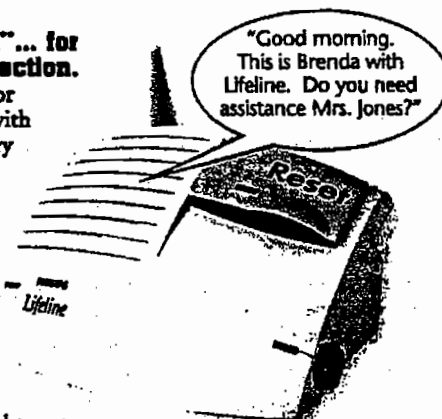
For millions of Americans, the fear of falling in and around their home, when they are all alone, is one of the greatest fears of all. Many have tried to protect themselves by purchasing PERS, or Personal Emergency Response Systems. That's a smart move... but it wouldn't have done Arlene any good. She fell in her driveway on a cold winter morning. She hit her head and was so dazed that she didn't think to press the button on her PERS pendant. Suddenly she was amazed to see an ambulance coming up the street. She wondered, "How did they know I fell?"



**America's
#1 Medical
Alarm
Service***

Lifeline with AutoAlert™... for an added layer of protection. Luckily for Arlene, her doctor had recommended Lifeline with AutoAlert. This revolutionary system features the only Medical Alarm pendant that can automatically call Philips Lifeline's state-of-the-art response center, if it detects your fall. There, expert emergency response operators quickly call friends, family or local ambulance, police or firefighters to summon help... quickly and reliably.

Remarkably sophisticated... easy to use. Philips has been around for over 100 years, and since the early 70's has led the way in PERS innovations and has more subscribers than any other medical alarm company. Now, they've introduced AutoAlert. All you do is plug the base unit into a power outlet and a phone land line. Then, you wear the AutoAlert pendant. If you experience any kind of emergency, from fires to falls, a break-in or even just shortness of breath, press the button and it calls the Philips Lifeline Emergency



Response Center. If you fall and can't press the button for any reason, AutoAlert can automatically call for you, if it detects your fall. Philips Lifeline Response Center Associates are trained to assess the situation and will summon help quickly.

Don't wait another minute... call now! firstSTREET is proud to offer Lifeline with AutoAlert at a special introductory price. There's no equipment to buy, no long-term contract and the setup takes only seconds. Call now and find out how you or a loved one can get this added layer of protection to help you stay living independently in your home.

- No Equipment Cost • No Installation fee
- Just Pay as you go!

Call now and get Free Shipping

Please mention promotional code 44609.

1-888-604-7293

PHILIPS
firstSTREET Lifeline
for Boomers and Beyond

*Based on number of U.S. subscribers December 2011. **AutoAlert does not detect 100% of all falls. If able users should always push their button when they need help. ***Based on open field test. Copyright © 2012 by firstSTREET for Boomers and Beyond, Inc. All rights reserved.

Evolution of the Personal Medical Alarm				
Time	Product	Wireless	Range	AutoAlert
Early 1970s	W. Hormanns "Elder alarm"	No	?	No
1974	Lifeline	Yes	?	No
1999	911 Cell Phone	Yes	where service available	No
2010	Philips Lifeline with AutoAlert	Yes	800 ft**	YES

AARP BULLETIN
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